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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Fourth periodic report of States parties

Israel*

* The present report is being issued without formal editing. For the combined initial and second periodic report submitted by the Government of Israel, see CEDAW/C/ISR/1-2, which was considered by the Committee at its seventeenth session. For the third periodic report submitted by the Government of Israel, see CEDAW/C/ISR/3.

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Table of Contents

INTRODUCTION **7**
Legislative Measures 7
Judicial Measures 9
Administrative Measures 10
Current Situation 11
Article 1 - Definition of Discrimination against Women **12**
The Constitutional Level 12
Equal Rights Legislation 12
Judicial Development of the Right to Equality 13
The Elimination of Discrimination in the Private Sphere 13
Article 2 - Obligations to Eliminate Discrimination **14**
Legal Provisions 14
Basic Laws 14
Ordinary Laws 14
Legal Recourse Available for the Pursuit of Women's Rights 15
The Public Complaints Commissioner and State Comptroller 15
Other Governmental Bodies 16
Governmental Mechanisms and Measures Established to Promote the Status of Women 16
Investigative and Study Initiatives by the Government 16
Mechanisms Implemented for the Improvement of the Status of Women 16
The Authority for the Advancement of Women in Israel 16
The Knesset Committee for the Advancement of the Status of Women 18
Performance of the Civil Service 18
Measures Taken on the Municipal Level 19
Article 3 - The Development and Advancement of Women **19**
Effective national machinery and publicity 19
Women with Disabilities 20
General and Legal Framework 20
General Economic and Personal Situation 20
Special Health Concerns of Women with Disabilities 21
Employment 21
Article 4 - Acceleration of Equality between Men and Women **21**
Affirmative Action 21
Expanding Affirmative Action to Public Institutions 21
Affirmative Action in the Civil Service 22
Affirmative Action in Governmental Corporations 22
Affirmative Action in Public Corporations 22
Affirmative Action in Other Areas 22
Special Measures Aimed at Protecting Maternity 22
Article 5 - Sex Roles and Stereotyping **23**
Women and the Media 23
Pornography 23
Prostitution 24

Women and Religion 25
Violence against Women, Sexual Violence and Legal Aspects. 25
Prevention of Sexual Harassment 25
Stalking 26
Extent of the Phenomenon of Sexual Violence against Women 27
Minimum Punishments 27
Raising Awareness 27
Police Handling of Sex Crimes against Women 27
Sex Criminals in the Penitentiary System 28
The Sexual Assault Help Centers Data 28
Domestic Violence - Legal Aspects 29
Recent Amendments to the Prevention of Violence in the Family Law 29
Other Legislative Developments 29
Extent of the Phenomenon of Domestic Violence 30
Domestic Violence – General Data 30
Police Handling of Domestic Violence 30
Centers for the Treatment and Prevention of Domestic violence 32
Shelters for Battered Women 33
Hotlines 33
Treatment of Battering Men 33
Violence against Women within the Arab Sector 34
Article 6 - Suppression of the Exploitation of Women 34
General 34
Prevention 34
Information Campaigns 34
Border control 35
The Legal Framework 35
Legislation 35
Investigation and Prosecution 36
Police Activities 36
The Prosecution 37
Courts 37
The Parliamentary Investigative Committee on Trafficking of Women 38
The Actual Situation 38
Sentencing 38
Severe Sentences 38
Compensation for the Victim of the Crime 39
Protection and the Human Dimension 39
Shelter 39
Assistance to Victims outside the Shelter's Framework 39
Coordination 40
Visas 40
Courts 41
Legal Aid 41

Police 41
Education, Awareness and Cooperation 41
Study and training 41
Cooperation with NGOs 42
International Conferences and Cooperation 42
Involvement of Minors in Prostitution 42
Rehabilitation Programs for Women and female-minors in Distress 43
Article 7 - Political and Public Life 43
Women in Political life in Israel 43
Women's Representation in the Knesset 43
Women in the Government 43
Women in Local Authorities 43
Women in the Civil Service 44
Ranks of Women in the Civil Service 44
Tenders in the Civil Service 44
Women in Key Positions within Israel's Economic and Public Life 45
The Judiciary 45
Government Corporations 45
Women in the Military 46
The Legal Framework 46
Women and Men in the Military 47
Women and Men Officers 47
Distribution of Men and Women 47
Women Scientists and Engineers in the IDF 48
Sexual Harassment in the Military 48
Women in the Police 49
The Legal Framework 49
Women in the Police – Field Data 49
Sexual Harassment within the Police 50
Women's Organizations 50
Article 8 - International Representation and Participation 50
Women's Representation in the Foreign Service 50
Women Representatives and independent experts in International Organizations 51
Article 9 - Nationality 52
Article 10 - Education 52
Legal Developments 52
High Schools in Israel 52
General and Technological/Vocational Tracks 52
Matriculation Levels 53
Education Rates, Attendance Rates and Drop-Out Rates 53
Activities and Educational Programs to Prevent Discrimination against Women 54
Gender Stereotypes within School Books 54
Other Instructions and Intervention Programs that Aim to Prevent Discrimination against Women 54

Sex and Family Life Education 55
Teachers 55
Higher Education 56
Female Students 56
Minorities in Higher Education 57
Women on the Academic Staff 57
Women and Gender Studies 58
Science and Technology Education for Women 59
Initiatives aimed at encouraging Female-Minors to enter the fields of Science and Technology 59
Initiatives to encourage women to study Science and Technology 59
Physical Education and Sports 60
Legal Developments 60
Governmental Machineries for the Promotion of Women in Sports 61
Female-Minors Sports in the School System 61
Current Data – Women in Sports 62
Article 11 - Employment 62
Legal Protection from Discrimination within the Workplace 62
Pregnancy and Maternity Leave 63
Parenthood 63
Affirmative Action in Employment 63
Social Security Benefits 63
Employment of Women - Data and Analysis 64
Women Participation in the Workforce 64
Work Patterns 64
Unemployment 64
Careers of Women: Levels and Salaries 65
Women's Occupational Distribution and Gender Segregation 65
Salary and Earning Gaps 66
Women's Entrepreneurship 66
Vocational and Professional Training for Women 67
Child-care 67
Enforcement of Employment Legislation 68
The Department of Supervision of Labor Laws in the Ministry of Industry, Trade and Labor 68
The Department of Labor Law Enforcement 69
Women's Employment among the Arab Population 69
Article 12 - Equality in Access to Health Care 69
General 69
Special Health Services for Women 70
Pre/Post Natal Services: Delivery Rooms and Maternity Wards 70
Women Health Centers 71
Osteoporosis 71
Family Planning 71

Fertility Rates, Treatments and Services 72
Birth Rates and Fertility Rates 72
Fertility Treatments and Services 73
Fertility Research 73
Life Expectancy 73
Mortality Rates and Causes of Death 74
Mental Health 75
AIDS 75
Women in Health Care 76
Women in Medical Schools 76
Women as Medical Personnel 76
Senior Positions for Women in the Health System 76
Attitudes towards women in the Health System 77
Promotion of the Status of Women in the Health System 77
Article 13 - Social and Economic Benefits 77
Legal Developments 77
Social Benefits and the Welfare State 78
Social Benefits 78
Maternity Insurance 78
Old Age and Survivors' Benefits 79
Alimony Payments 79
Single-Parent Families 80
Financial Credit 80
Recreational Activities 80
Article 14 - Rural Women 80
General 80
Bedouin Women 81
Education 81
Employment and Welfare 82
Health 82
Marital Status 83
Article 15 - Equality before the Law and in Civil Matters 83
General 83
Religious Courts 84
Article 16 - Equality in Marriage and Family Life 84
General 84
Legal Developments 84
The Family in Israel: Some Demographic Data 85
Marriages 85
Divorces 85
Minimum Marital Age 86
Same-Sex Couples 87
New Reproductive Technology and Surrogacy 88

INTRODUCTION

1. The Government of Israel is pleased to submit its Fourth Periodic Report Concerning the Implementation of the United Nations Convention on the Elimination of all Forms of Discrimination against Women. This Report describes the developments that took place since the submission of the Third Report in 2001, taking into account the General Recommendations adopted by the CEDAW Committee. In accordance with the reporting guidelines, this Report builds upon our previous reports. Accordingly, it refrains from repeating previous information and explanations, except when necessary.

2. All relevant governmental ministries and institutes were requested to supply data and information concerning their areas of operation. Non-governmental organizations were also asked to provide information prior to the compiling of this Report.

3. The Report was compiled by the Department for International Agreements and International Litigation in the Ministry of Justice.

4. The State of Israel has been conscious and aware of the issue of women equality from its very beginning, the *Equal Rights for Women Law*, 5711- 1951 (*"Equal Rights for Women Law")* was enacted only three years after the State was founded, and is a testimony to the emphasis given to women-related issues.

5. As will be demonstrated throughout our report, there is an overall positive progression in the implementation of CEDAW in Israel. The legislative sphere continues to advance with impressive measures, albeit its implementation is somewhat more moderate. Nonetheless, there are many legislative developments and court decisions, which demonstrate an across-the-board willingness and desire upon to uphold its CEDAW responsibilities in a good faith manner.

6. Similar to previous reports, a legislative supplement is included containing significant new legislation, which is described in details throughout the Report.

Legislative Measures

7. The main legislation enacted since our previous report, concerning the elimination of all forms of discrimination against women is:

8. The *Prohibition of Discrimination in Products, Services and Entry into Places of Entertainment and Public Places Law*, 5761-2000 (*"The Prohibition of Discrimination in Products, Services and Entry into Places of Entertainment and Public Places Law"*), this law prohibits discrimination by an individual operating a public place. Violation of the law is both a civil wrong and a criminal offence punishable by fine. The law applies to the State as well and has been interpreted broadly as applying to a host of public places, including schools, libraries, pools, stores, and other places serving the public. Court decisions have upheld this broad interpretation of the law.

9. Another major legal development was the amendment of the *Employment of Women Law*, 5714-1954 *("Employment of Women Law") (Temporary Provision)* from 2004, granting men the privilege to share maternity leave with their wives and the eligibility for maternity leave allowance, provided their wives waive the privilege for the remainder of the maternity leave and return to work. This amendment was recently extended and is in force until the end of April 2007, thus enabling free choice as for the identity of the family provider during the maternity leave.

10. An additional significant law enacted, is the *Limitations on the return of a sex Offender to the Surroundings of the Victim of the Offence Law*, 5765-2004, ("*The Limitations on the Return of a Sex Offender to the Surroundings of the Victim of the Offence Law*"), granting a court (including a military tribunal) the authority to prohibit an offender from residing or working near the location of the victim's residence or employment. This, provided the Court finds that a possibility exists that the victim will suffer concrete mental damage due to the offender's proximity. The court is also instructed to take into consideration any damage caused to the sex offender due to these limitations.

11. Also, Section 2B of the *Public Tender Law*, 5752-1992 ("*Public Tender Law*") stipulates that in a governmental tender, a woman-controlled business (a business controlled by a woman, holding 50% or more of the means of control, alone or with other women, enabling her to direct its activity) shall be preferred in a tender, when receiving an equal score to a non woman-controlled business.

12. Another important amendment is Amendment no. 5 (2000) to the *Prevention of Violence in the Family Law*, 5751-1991 ("*Prevention of Violence in the Family Law*") which encompasses a significant change in attitude regarding firearms to those given a protective injunction. Previously, when a Court convicted an individual of a violent crime, it was not to refuse the prosecution's request to suspend whatever firearm license that individual might have had, or to deposit that firearm with the police, without special reasons. Pursuant to Amendment no. 5, of the abovementioned law a person given a protective injunction shall be prohibited from carrying or bearing a firearm, including one issued to him by the security forces or another state authority. This means a person is usually denied his right to carry and bear firearm following an injunction – unless certain conditions specified in the law are met. A permit to carry and bear a firearm requires specific conditions and circumstances - a court hearing in the presence of both parties, followed by a permit listing the conditions to safeguard the family members' safety.

13. Another important revision is Amendment no. 36 (2002) of the *Criminal Procedure Ordinance*, adding sections 59A and 62A. According to these sections, a police officer and/or a public prosecutor may not rely solely on a spouse's request not to conduct an investigation or prosecute in a sexual or violent offence among spouses, due to lack of public interest.

Judicial Measures

14. The main judicial measures taken since our previous report, concerning the elimination of all forms of discrimination against women are:

15. An innovative decision, anchoring affirmative action, by the High Court of Justice is H.C.J. 5325/01 *The Association for the Advancement of Women's Basketball v. Ramat HaSharon Local Council et al* (02.06.04). The Court examined the issue of fund allocation to sports institutions. The Court based its ruling on section 3A of the *Budgetary Principles Law*, 5745-1985 ("*Budgetary Principles Law*"), which establishes the criteria of equality for budget allocations to public institutions. The Court here applied the allocation criteria, adopted by the Ministry of Culture, Science and Sport, which sanctions affirmative action and grants women sports activities with 1.5 times the budget allocated to male sports activities. The Court ruled that the need for equality also concerns local councils and their allocation of funds. The Court held that the Ramat HaSharon Council, the Head of the Council, and the Ramat HaSharon Center for Education and Sport are to allocate funds according to the above criteria.

16. Another important ruling is *H.C.J 6845/00 Eitana Niv et al. v. the Klalit Sick Fund* (9.10.02). The ruling dealt with early-retirement arrangements for the Fund's employees, which provided preferable benefits to male employees up to the age of 65, whilst granting female employees these provisions benefits only up to the age of 60. The Court defined discrimination as "an unequal and unjust treatment given to equal persons". The Court thus stipulated that the Fund must provide women with the same rights as men within the retirement arrangements and that the Fund discriminated against the petitioners. The Court also stated that equality is a fundamental value in the Israeli legal system and that gender-based discrimination is one of the gravest forms of discrimination. The State of Israel, throughout the years, anchored equality between the genders and only exceptional considerations would justify overpowering it. Discriminating against women is clearly contrary to public order and essentially null. Subsequently, the Court ordered the removal of the discriminating provisions of the early-retirement arrangements.

17. Also, in September 2004, the Supreme Court ruled against publicizing complainants' identities in sex offences, following the conclusive acquittal of the accused *(C.A.A 5877/99 Haim Yanos v. The State of Israel (28.09.04))*. The Court stated that when it rejects the complainant's claims, it no longer has to continue and protect the complainant and her interests (privacy, dignity and reputation). However, above all, stands the significance of the public interest to encourage women to come forward and complain. The society's wish to expose criminals will be badly hurt if the names of complainants, even false-complainants, will be published.

18. Additionally, the Family Court in Jerusalem, in a landmark decision, ordered a husband to pay his battered wife 90,000 NIS (20,000 $) compensation, mostly as "punitive

damages") *F.C.C 018551/00 K.S v. K.M (07.06.04))*. These damages were awarded to the wife for "five years of on-going grievance by way of abuse, scorn, humiliation and enslavement". The court here implemented the option stipulated by law for increased damages, due to harsh circumstances which she faced.

19. In another landmark decision from January 2005, the Supreme Court accepted the appeal of two women, a same-sex couple, to adopt each other's children. The Court ruled that under the *Adoption of Children Law* 5741-1981 (*"Adoption of Children Law"*), each case should be examined on its own merits and all the relevant circumstances need to be taken into consideration. The Court emphasized that the decision solely concerns this couple and is not a principled one, thus setting aside the question of same-sex relationships for future deliberation. The Court recommended that the Knesset amend the law to provide a solution to a real problem, and attempt to bypass controversial ideological problems that the issue presents. (C.A. 10280/01 *Yaros-Hakak v. The Attorney General* (10.01.05)).

20. In an innovative judgment, the Nazareth District Court determined, that the term "man and woman" in the *Inheritance Law, 5725-1965*, (*"Inheritance Law"*) includes spouses of the same gender. The judgment was based upon the general inclination to broaden the interpretation of the term "spouse", in the *Inheritance Law. (C.A. 3245/03 A.M. v. the Attorney General (11.11.04))*.

Administrative Measures

21. Several major additional measures taken by the Government, concerning the elimination of all forms of discrimination against women were:

22. The Civil Service Commission added a segment in tender announcements regarding affirmative action for women. The Commission also established educational programs on the issue of affirmative action for women for members of tender committees.

23. The Ministry of Industry, Trade and Labor initiated a special program to integrate single parents into the labor market, specifically those receiving income guarantees and alimony payments, with the intention of increasing single parents' earning capabilities, while raising their employment qualifications. The program grants its participants with the following benefits: a 9,600 NIS grant to those who increase their income by at least 1,200 NIS compared to their income in May-July 2003; single parents' full time employers are entitled to a financial grant of up to 12,000 NIS; travel expenses refund; vocational and professional training; and participation in fees for children in kindergarten and day-care centers. The program began in August 2003, and by March 2004, 30,000 single parents approached the Bureaus, 13,000 of them were referred to positions and 5,100 were placed accordingly. The dropout rate is about 30%. Also, 630 single parents are currently attending vocational courses, and 372 of them placed their children in day-care centers.

Current Situation

24. The following data reflects the current situation of women in Israel and the advancement achieved in the elimination of all forms of discrimination against women:

25. The legal field is one of the professions in which women have closed the gap as will be illustrated in the following figures.

26. The number of female judges continues to climb in conjunction with the rising number of judges in general. In October 2004, there were 262 women judges out of a total of 542 judges, (48.3% of the judiciary in Israel). The number of female Justices on the Supreme Court has risen to 40% (six out of fifteen Supreme Court Judges). Women continue to compose the majority of professional labor judges (67.3% of the judges, and 57.1% of the registrars), nearly half of the District Courts judges (41.3%), almost half of the Magistrate Courts Judges (48.7%) and more than half of the registrars (56.9%). Women have also increased their role as public-representatives in the labor courts (constituting 14.8%) representing employees and employers' unions side by side with professional judges.

27. Women remain a majority in the public sector of the legal profession. The retiring State Attorney was a woman, and as of July 2004, 113 (66.9%) of the 169 legal advisors in the Ministry of Justice were women, and a parallel percent of women were working in the State Attorney's and the Attorney General's offices (432 women and only 210 men) and the Public Defenders office (33 women compared to only 15 men). There were also 201 female legal-interns to 120 male legal-interns, and 22 women in the senior judge-equivalent ranks and only 8 men.

28. Women's representation on the Boards of Government Corporations is rising. At January 2005, women constituted 37% of the directors. There were 5 women (11.36%) serving as head of a board of directors (4 new nominations since our previous report), and 9 women (11.84%) served as CEO's of governmental corporations.

29. Higher Education - Women still constitute a majority among the first (55.9%), second (57.1%) and third (52.7%) degree students. There are no dramatic changes in the percentages when compared to previous figures. Women comprise a majority in fields such as humanities (71%), social studies (63%) medicine (50%), and life sciences.

30. Medical Administration - Women still compose a majority (5 out of 7) of the Ministry of Health's District Doctors. Women also head five major departments in the Ministry, and there are two women deputy director generals. There are 12 women (26%) in the National Health Insurance Council.

Article 1 - Definition of Discrimination against Women

The Constitutional Level

31. As elaborated in our previous report, although the right to equality is not explicitly included in the two Basic Laws enacted in 1992 and 1994 (*Basic Law: Human Dignity and Liberty*, 5752-1992 (*"Basic Law: Human Dignity and Liberty"*); *Basic Law: Freedom of Occupation*, 5754-1994 (*"Basic Law: Freedom of Occupation"*), it is encompassed within the basic right to human dignity. This interpretation was repeatedly approved by the Supreme Court (*H.C.J 6845/00 Eitana Niv v. the Klalit Sick Fund (09.10.02)* - detailed above and below) as well as by many jurists in Israel, led by Chief Justice Barak.

32. Israel's legal system is multilayered, as detailed in our previous reports. The process of legislating basic laws is complicated and necessitates balancing between the various sectors among the Israeli society. Following the completion of this process, the state will report to the Committee accordingly.

33. Furthermore, the Israeli Constitution, Law and Justice Knesset Committee is in the process of preparing a consensual-based constitution, and has held over 60 sessions on drafting its text. Among the topics discussed are: due process guarantees, freedom of speech and assembly, the right to form and join trade unions, and the right to adequate standard of living.

Equal Rights Legislation

34. Since our previous report, several significant developments took place on the legislative level, with regard to women's representation in public bodies.

35. In June 2004, Amendment no. 9 to the *Equal Employment Opportunities Law*, 5748-1988 ("*Equal Employment Opportunities Law*") added pregnancy as one of the grounds of prohibited discrimination in the workplace, both as a job applicant and as an employee.

36. Section 2B of the *Public Tender Law*, added in a 2003 amendment, stipulates that in a government tender, a woman-controlled business, shall be preferred, when receiving an equal score to a non woman-controlled business.

37. In 2002 a new amendment to the *Planning and Building Law*, 5725-1965 ("*Planning and Building Law*, added a mandatory representative of women's organizations to the National Council for Planning and Building.

38. In 2004, Section 9B, 9A was added to the *Sports Law*, 5748-1988 ("*Sports Law*") and concluded that all sports organizations, including sports associations, unions and federations, supported by the state, shall provide appropriate representation to women.

39. Further elaboration concerning these laws and others will be provided throughout this report.

Judicial Development of the Right to Equality

40. Over the years, the judiciary has contributed significantly to the development of the right to equality in general, and to gender equality in particular. The most recent judicial statement against gender discrimination was made by the High Court of Justice in *H.C.J 6845/00 Eitana Niv v. the Klalit Sick Fund* (9.10.02). This petition concerned early-retirement arrangements for the Fund's employees, providing preferable benefits to male employees up to the age of 65, whilst granting female employees these benefits only up to the age of 60. The Court defined discrimination as an unequal and unjust treatment given to equal persons. The Court thus stipulated that the Fund must provide women with the same rights as men within the retirement arrangements and that the Fund discriminated against the petitioner. The Court also stated that equality is a fundamental value in the Israeli legal system and that gender-based discrimination is one of the gravest forms of discrimination. The State of Israel, throughout the years, anchored equality between the genders and only exceptional considerations would justify overpowering it. Discriminating against women is clearly contrary to public order and essentially null. Subsequently, the Court ordered the removal of the discriminating provisions of the early-retirement arrangements.

41. Another innovative decision, applying affirmative action to the funding of female sport activities, was given by the High Court of Justice in a petition (*H.C.J. 5325/01 The Association for the Advancement of Women's Basketball v. Ramat HaSharon Local Council et al (02.06.04)*) filed by the Association for the Advancement of Women's Basketball against the Ramat HaSharon Local Council and others. The Court examined the issue of fund allocation to sports institutions and held that the need for equality also concerns local councils and their allocation of funds. The Court based its ruling on section 3A of the *Budgetary Principles Law*, which established the criteria of equality in budget allocations to public institutions. These criteria, adopted by the Ministry of Culture, Science and Sport, sanction affirmative action and require women sports activities to receive 1.5 times the budget allocated to male sports activities. *The* Court ruled that the Ramat HaSharon Council, the Head of the Council, and the Ramat HaSharon Center for Education and Sport are to allocate funds to female sports activities in accordance with the updated version as mandated by the Sports Associations' criteria.

The Elimination of Discrimination in the Private Sphere

42. An important law enacted in 2000 in the private sphere was the *Prohibition of Discrimination in Products, Services and Entry to Places of Entertainment and Public Places Law*. The law prohibits discrimination in the provision of products or public services, granting entry to public places, or providing services in a public place due to certain grounds, including gender, sexual preference, personal status and parenthood. The

law also prohibits discriminatory advertisements, and addresses the issue of civil wrongs and punishments.

43. Another relevant amendment (from 2002) was section 2B of the *Public Tender Law*, setting preference to private businesses owned by women in public tenders, as detailed above and in Article 4 below.

Article 2 - Obligations to Eliminate Discrimination

Legal Provisions

Basic Laws

44. The Israeli legal system is multilayered and consists of several legislative instruments in hierarchal order. One of the fundamental legislative avenues for entrenching the rule of law and human rights are the basic laws. Basic laws comprise a "constitution-in-the-making" in a piece-meal fashion. The basic laws deal with topics such as the structure of government or focus on human rights issues.

45. Basic laws enjoy a unique status and are usually superior to other laws. Thus, while the basic laws are adopted by the Knesset in the same manner as other legislation, some basic laws have "entrenched clauses" whereby a special majority is required to amend them. Furthermore, derogation from a right enshrined in a basic law may only be made if it is pursuant to the "values of the State" and for a "worthy purpose".

46. The process of legislating basic laws is complicated and necessitates balancing between the various sectors among the Israeli society. This process in ongoing and once it is completed, the Government will report to the Committee accordingly.

47. Furthermore, the Israeli Constitution, Law and Justice Knesset Committee is in the process of preparing a consensual-based constitution, and has held over 60 sessions on drafting its text. Among the topics discussed are due process guarantees, freedom of speech and assembly, the right to form and join trade unions, and the right to adequate standard of living.

Ordinary Laws

48. Since the submission of our previous report, Israel has enacted several pieces of legislation aimed at eliminating discrimination against women. Among the most important laws recently enacted, is the 2004 Amendment No. 9 to the *Equal Employment Opportunities Law*, adding pregnancy as one of the grounds upon which a person cannot be discriminated in the workplace; section 9A of the *Sports Law* (Amendment No. 5) (*Proper Representation*), from 2003, which requires all sports organizations, including sport associations, unions and federations supported by the state, to ensure appropriate representation to women; section 2B of the *Public Tender Law* from 2002, that mandates

the government to approve a woman-controlled business (as defined below), when receiving an equal score to a non woman-controlled business in a government tender, and the amended *Planning and Building Law*, requiring a mandatory representative from women's organizations to the National Council for Planning and Building.

Legal Recourse Available for the Pursuit of Women's Rights

The Public Complaints Commissioner and State Comptroller

49. As stated in our previous report, the Public Complaints Commissioner remains responsible for handling complaints and grievances from the public, including complaints from women. According to the Commissioner's records, the Commissioner received a total of 19,691 complaints in the period between 30.9.2000 – 31.12.2003. 160 of these complaints concerned women's issues, in matters such as social benefits (including alimony payments, maternity grant, and birth allowances) as well as marriage registration and sexual harassments complaints. Of these complaints, the inspection ceased in 138 instances for various grounds, 87 complaints were settled and 17 of the complaints were deemed admissible and were examined through the relevant channels.

50. Since our previous report, the State Comptroller published three reports on women-related issues. One report is The Classification and Assignment to Positions of those Designated to IDF Service: (2002). In the *Defence Service Law [Consolidated Version]*, 5746-1986 (*"Defence Service Law [Consolidated Version]"*) there are provisions concerning equivalent summons for initial duty, as well as medical and qualification examinations. The State Comptroller found that female-minors undergo a partial examination prior to their assignment to combat duties. The Comptroller recommended a reevaluation of these examinations, especially concerning female-candidates for military service, designated for combat duties, to ensure that the examinations are performed in an equal manner. In the government's response to this report, it was mentioned that only about a third of all future enlistments complete the medical background forms, and that the IDF is currently exploring internet based options for completing these forms. Furthermore, the IDF is performing an overall evaluation of the medical committees' procedures. Also, additional interviews for female-minors intended for combat positions were added.

51. Another report is titled Women Service in the I.D.F. (2002) The State Comptroller found that the opening of new positions for women and their integration were not accompanied by any analysis of the characteristics of each position and no standards were set to evaluate the success of integration. The Comptroller also noted the lack of research concerning the medical-physiological aspects associated with female combat duties. In the government's response to this report, it was stated that an extensive evaluation of the medical-physiological aspects of female positions in the IDF will be performed. Also, 2,500 additional posts will be available for women, throughout the IDF.

52. In The Phenomenon of Spousal Violence: (2002) report, the State Comptroller opined that spousal violence requires a systematic and effective solution. The obligation to respond effectively to spousal violence is imposed on the governmental ministries, especially the Ministry of Social Affairs, which must examine the organizational structure of the different operating services in that regard. Moreover, the distribution of responsibilities must be clear and effective, and the relevant bodies must work in full cooperation and coordination. In the government's response to this report it was stated that the Ministry of Social Affairs is now the focal point for the treatment of domestic violence, and its director general heads an inter-ministerial Committee coordinating the treatment of domestic violence. Also, control and supervision procedures were established for the regulation of the Centers for the Prevention of Domestic Violence.

Other Governmental Bodies

53. Legal recourse for women to advance their cause and to fight discrimination is available through the judicial system. In addition, governmental bodies such as the Ministry of Industry, Trade and Labor's Division for Employment and Status of Women, the legal aid in the Ministry of Justice, the Discipline Superintendent in the Civil Service and the Department for the Advancement and Integration of Women in the Civil Service can also provide adequate remedies, within their spheres of competence and responsibility, such as disciplinary measures, etc.

Governmental Mechanisms and Measures Established to Promote the Status of Women

Investigative and Study Initiatives by the Government

54. Since our previous report, the Authority for the Advancement of Women in Israel conducted two major surveys regarding women in Israel, as will be further elaborated, the first regarding the needs of women and their expectations for institutional solutions for these needs second regarding "Identifying Early Signs of Violence during Courtship". These surveys will be detailed below.

Mechanisms Implemented for the Improvement of the Status of Womer

The Authority for the Advancement of Women in Israel

55. Since our previous report, the Authority has taken several steps to achieve advancement of these goals, including:
    1) Training 1,000 community leaders to assist in implementing the diverse aspects of advancing the status of women in the community. This is performed through identifying "conversion agents" in the community and qualifying women's forums for leadership, working towards the advancement of the status of women.
    2) A range of activities aimed at the financial empowerment of women in all aspects of life. This includes promotion of women's entrepreneurship, under the guidance of a special women's entrepreneurship think-tank.

3) Publishing a 36-pages booklet, titled: "Women's Rights at the Workplace – you deserve to know", containing assorted information relevant to working women, including relevant laws, entitlements, sick leave, dismissal, sexual harassment, pregnancy and maternity leave, and labour court complaints. 150,000 copies of this booklet were circulated in Hebrew, Arabic and Russian.
4) Issuing an extensive pamphlet providing information on women's rights, services and projects targeted at women and teenage girls. 200,000 copies of this pamphlet were distributed.
5) Circulating another leaflet providing assistance in early detection of domestic violence, containing the contact numbers of all bodies relevant to the phenomenon of domestic violence. 90,000 copies of this leaflet were circulated in Hebrew, Arabic and Russian.
6) Approaching the heads of all Municipalities, urging them to nominate advisors on the status of women.
7) Holding courses aimed at training and professional guidance of the advisors on women status, holding annual meetings for graduates of these courses, conducting professional tours among the advisors and holding regular conferences and seminars for residing advisors.
8) Collaboration and nurturing of women-leaders in different organizations, including professional organizations, political parties, youth movements and women-oriented NGO's. Organizing regular consultation and strategy meetings with the heads of major women's NGO's.
9) Organizing professional seminars and conferences for the purpose of implementing the policy of widening and advancing leadership in women's status issues and combating violence against women, attended by relevant participants and policy-makers.
10) Promoting issues relating to women's health and well being through periodic conferences and seminar, and providing tools to assist local advisors on the status of women in activating local projects on women's health.
11) Devoting special efforts and resources towards the advancement of women in the Arab sector – assigning a special project manager for the Arab sector, addressing the state's inheritance fund to support projects within the Arab sector, mapping women associations in this sector, establishing a steering committee of all relevant factors and conducting surveys and conferences for women and policymakers regarding this sector on issues pertaining to employment, education, entrepreneurship and violence against women.

56. The Authority also receives regular appeals following their publications, in various matters, triggering women to approach them with complaints. The annual number of applications is estimated at 1,000, mostly regarding women's rights at work, the dismissal of pregnant women and post-natal women, employment related matters, entrepreneurship, and women in key positions. Additionally, there are several applications regarding marriage and divorce related issues, as well as welfare and financial issues.

57. As the Authority has no individual legal counseling, it refers the complainants to the appropriate venues, such as the Ministry of Social Affairs, the Ministry of Industry, Trade and Labor, Legal Aid, shelters, etc.

The Knesset Committee for the Advancement of the Status of Women

58. The Knesset Committee for the Advancement of the Status of Women has continued its activities towards the advancement of the status of women. The current committee consists of 15 members, 9 women and 6 men, from a wide range of political parties.

59. Recent legislation enacted with the support of the Committee include the *Sports Law (Amendment No. 5) (Proper Representation)*, from 2003; the *Prevention of Sexual Harassment Law*, 5758-1998 ("*Prevention of Sexual Harassment Law*") *(Amendment – National Service* from 2004; the *Prevention of Sexual Harassment Law (Amendment – Authority Use in Studies*), from 2004 and the advancement of a bill for *Employment of Women Law (Amendment No. 28) (Permits for Dismissal or Reduction in Number of Working Hours*), from 2003.

60. Since our previous report, the Committee also advanced and improved the status of women through the following measures:

1) Initiation of special parliamentary discussions on International Woman's Day, as well as on National Fight the Violence against Women's Day.
2) Holding regular sessions with members of the Civil Service Commissioner regarding sexual harassment claims and women's representation in the Civil Service.
3) Receipt of regular reports from the government ministries regarding women's representation and an approach to the Ministry of Finance on the subject of equal payment for men and women.
4) Monitoring the advancement of equal representation for women, and the implementation of the relevant legislation, including in governmental tenders;
5) Discussions, and an on-site visit, relating to Bedouin women issues, in cooperation with the local Bedouin population;

Performance of the Civil Service

61. The Department for the Advancement and Integration of Women within the Civil Service has been active on a wide range of topics, all aimed at promoting women in the civil service.

62. The Department heads the training and professional guidance of supervisors on the status of women in government offices and the auxiliary units (currently 78 such supervisors), interviews all new supervisors, conducts regular training courses (a 300-hours mandatory course), sessions and conferences and provides on-going updates of relevant information and material to deal with issues relating to the status of women (in 2003, for example, 35 circulars were distributed to the supervisors by the Department). In addition, all

supervisors must report to the Department biannually and these reports are further discussed in biannual meetings that take place with each supervisor.

63. The Department continues to serve as an address for women civil servants to submit complaints regarding discrimination, injustice and grievance in their status and working conditions. Over a hundred such complaints are received annually, concerning a wide variety of subjects. In 2003, the Department received 119 complaints; approximately half of them involved sexual harassment allegations.

64. The Department gives special attention to the implementation of the *Prevention of Sexual Harassment Law* in the Civil Service, through training of the supervisors on the status of women in the governmental ministries, conducting seminars and conferences, regular follow up and supervision as to the law's implementation in the ministries and auxiliary units, establishing clear procedures for the treatment of sexual harassment complaints, and filing regular reports to the Knesset regarding sexual harassment cases in the civil service.

Measures Taken on the Municipal Level

65. In accordance with the *Local Authorities Law (Advisor on the Status of Women)*, 5760-2000 *("Local Authorities Law (Advisor on the Status of Women)")*, as of January 2005, there were 68 advisors in city councils and 43 in local municipalities. 38 of whom, in Arab local municipalities. These advisors are closely guided by the Authority for the Advancement of Women, keeping them informed as to the latest updates, distributing relevant material and statistics, conducting conferences and guidance sessions, as well as training courses.

Article 3 - The Development and Advancement of Women

66. Israel has taken a wide range of actions, in the political, social, economic and cultural fields, to enable the comprehensive development and advancement of women. The actions by Israel have taken place via legal developments, public and private awareness campaigns and social changes. These measures, detailed throughout the report, enhance the protection of women's rights and further develop their roles in Israeli society.

Effective national machinery and publicity

67. The Convention was translated into Hebrew and published in the "Kitvey Amana" - a public document. Additionally, the previous report submitted to the Committee is available on the Ministry of Justice's web site.

68. Various governmental ministries held Seminars and conferences regarding the status of women, discussions on the implementation of the Convention in Israel, in their relevant fields of operations. For example – "Gender, Society and Law" and "Trafficking in

Women" Conferences held by the Ministry of Justice and "Women in The Labor Force – Challenges and Opportunities", held by the Ministry of Industry, Trade and Labor.

Women with Disabilities

General and Legal Framework

69. According to estimates by the Commission for Equal Rights for People with Disabilities within the Ministry of Justice, people with disabilities make up about 10% of the Israeli population; about half of them are women. According to the Commission, women with disabilities suffer from "twofold" discrimination.

70. On March 22, 2005 the Knesset approved Amendment no. 2 to the *Law on Equal Rights for People with Disabilities* 5758-1998, ("*Equal Rights for People with Disabilities Law*"). The amendment to the law obligates the state to make new buildings and infrastructures accessible. The law also requires that the service granted to the public, be made accessible to people with disabilities. Public buildings, areas of commerce, public institutions, schools, clinics, institutes of higher education, employment centers must all be made accessible to people with disabilities. The provisions of the law set up a period of 6 years for the implementation of the law in the privately-owned public areas and a period of 12 years for its implementation in public authorities.

71. Since our previous report was submitted, several other regulations that further advance the right to equality and human dignity for people with disabilities were promulgated.

72. Among these regulations are: *Equal Rights for People with Disabilities Regulations (Priority* Parking *Spaces at the Work Place), 5762-2001* ("*Equal Rights for People with Disabilities Regulations (Priority Parking Spaces at the Work Place)*"); *Minimum Wages Regulations (Wages Adapted to Employee with Disability with a Diminished Working Ability),5762-2002* ("*Minimum Wages Regulations (Wages Adapted to Employee with Disability with a Diminished Working Ability)*"); *Equal Rights for People with Disabilities Regulations (Regularization of Accessibility to Public Transportation Services), 5763-2003* ("*Equal Rights for People with Disabilities Regulations (Regularization of Accessibility to Public Transportation Services)*").

General Economic and Personal Situation

73. Information regarding people with disabilities originates from details on various disability benefits given to the six main categories of disabled people. These categories determine the source and type of support provided and they are based on: general social security disability pension, employment disability pension, IDF (Israel Defence Force) disability pension, hostile operations disability pensions, Holocaust and anti-Nazi operations disability pensions, and children receiving disabled child pensions. Men are the major recipients of disability pensions in most categories, except for a slightly higher number of

women among those receiving hostile operations and Holocaust and anti-Nazi operations disability pensions. The men's rate is particularly higher among the IDF disability pension recipients and the employment disability pension recipients. Women make up 5% and less than 9.8% of these last two groups respectively.

74. Women make up less than half (42%) of the general social security disability pension recipients, mostly due to the higher standard of disability required for women homemakers. Homemakers are still required to prove 50% medical disability (as opposed to the usual 40%) in order to be eligible for a pension. Their ability to function in the house is examined to assess their eligibility and they are not entitled to a dependent supplement for their unemployed partner, but only for their children.

Special Health Concerns of Women with Disabilities

75. A nation wide accessibility survey found that most health clinics are not fully accessible to people with disabilities (95.4%). Also, in a sample survey of gynecological clinics, not one of the 24 clinics sampled addressed all basic requirements of women with disabilities, and only 6 clinics corresponded with most of these requirements.

Employment

76. The majority of people with severe disabilities are unemployed and most of them have never held steady jobs. Over 70% of the people with severe disabilities, physical illnesses and mental deficiencies, as well as approximately 72% of the blind and 20% of the deaf are unemployed. Of those employed, there is a higher number of men than women (20% to 12%) and 42% of the men work full time, whilst that figure is only 33% for women.

Article 4 - Acceleration of Equality between Men and Women

Affirmative Action

Expanding Affirmative Action to Public Institutions

77. As noted before, a major recent development is the 2002 amendment of the *Public Tender Law*, adding section 2B, aimed at encouraging women in business. This section stipulates that in a governmental tender, a woman-controlled business (a business controlled by a woman, holding 50% or more of the means of control, alone or with other women, enabling her to direct its activity), shall be preferred, when receiving an equal score to a non woman-controlled business, provided certain preconditions are met.

78. The Civil Service Commissioner added a segment in tender announcements regarding affirmative action for women.

Affirmative Action in the Civil Service

79. The 2001 enactment of section 15A of the *Civil Service Law (Appointments)*, detailed in our previous report, added to women's representation within the higher ranks of the civil service, as will be detailed below, although there is still room for improvement.

Affirmative Action in Governmental Corporations

80. According to current data from the Governmental Corporations Authority, as of January 2005, women constitute 37% of the governmental corporations directors. Since our previous report, more than a third of the directors nominated in governmental corporations were women (203 women of 558 nominations). To this date, there are 5 women (11.36%) serving as head of a board of directors (4 new nominations since our previous report), and 9 women (11.84%) serve as director general's of governmental corporations.

Affirmative Action in Public Corporations

81. Despite these achievements, women still lack representation in the managerial levels in boards of directors of public corporations when compared to men. In 2002, the percentage of women directors of all directors was approximately 26%.

Affirmative Action in Other Areas

82. As mentioned in our previous report, both the High Court's decisions (*H.C.J 6845/00 Eitana Niv* and *H.C.J 5325/01 the Association for the Advancement of Women in Basketball* – as detailed in article 1 above and Article 10 below) and the current legislation establish an all-encompassing basic legal principle concerning the legitimacy of affirmative action as an integral part of the principle of equality. They also established a requirement of adequate representation of women in public bodies, as part of the principle of equality.

83. Two further examples for such legislation are the amended *Planning and Building Law*, adding a mandatory representative of women's organizations to the National Council for Planning and Building and section 2B of the *Public Tender Law*, as detailed in article 1 above.

Special Measures Aimed at Protecting Maternity

84. An extensive review of this subject matter will be discussed within Articles 11 and 13, below.

Article 5 - Sex Roles and Stereotyping

85. In this Article, various issues reflecting women sex roles and stereotypes will be addressed. Firstly, we shall address the rate of women in Israeli media, including pornography and the recent innovations in this sphere. Secondly, we shall provide an update on women and religion, and finally a detailed review of the phenomenon of violence against women and the measures taken to address it.

Women and the Media

86. In the Israel Broadcast Authority (IBA), which is in charge of public broadcasting, one woman, who also serves as the deputy chairperson, is a member of the eight-member Management Committee. In the IBA Council, women compose 40% of the 20-member Council and a persistent 41% of the total number of employees of the IBA is maintained. Current 2004 data indicates progress in employing women in high-ranking positions within the IBA: there are now 14 women in high-ranking positions in the Hebrew television and 7 in the Hebrew and Arabic radio; there are also 11 women in high-ranking positions in the IBA headquarters.

87. Within the Second Authority Council, which has the highest TV ratings in Israel, and is responsible for the Authority's policy issues, 30% of the members (3 of 10) are women. Within the Second Authority itself, women make up 66.6% (4 of 6) of the high-ranking positions. In the Second Authority's radio stations and television bodies, there also are a noticeably higher number of women in managerial positions as well as women journalists compared to the IBA – Channel 2 News: 47.5% women employees, holding 50% of the journalist positions. Reshet TV: 80% women employees, holding 50% of the managerial positions and 73% of the journalist positions. Radio 102FM: 65.5% women employees, holding 80% of the managerial positions and 48.5% of the journalist positions.

Pornography

88. Following the enactment of the child pornography amendments to the *Penal Law, 5737-1977 ("Penal Law")*, in the 18 months between the beginning of 2003 and mid-2004, 42 investigation cases were opened by the police regarding obscene materials, 13 of which involved minors. Of these cases, 4 were transferred to the police prosecution and two more to the Attorney General's offices. Five additional cases were initiated in the parallel period regarding the publication of prostitution services by a non-minor, and two other cases involving a minor.

89. An important legislative innovation is Amendment no. 27 (from 2002) of the *Communication Law (Bezeq and Transmissions), 5742-1982 ("Communication Law (Bezeq and Transmissions)")*, which expanded the definition of prohibited broadcasts through the supplementary expansion of the definition of obscene material. The amendment applies to licensed broadcasters of Cable and Satellite transmissions. The

amendment adds to the definition transmissions containing the presentation of sexual relations including violence, abuse, abasement, humiliation and exploitation, portraying sexual intercourse with a minor or a person pretending to be a minor, and the presentation of a person or any of his organs as an object ready to be sexually used. All of the above is considered profane so long as the programs are not distinctly of an artistic, scientific, newsworthy, educational or informative value such as to justify their broadcast under the circumstances.

90. The High Court of Justice has recently made a landmark ruling in this area, (*H.C.J 5432/03, 5477/03, S.Y.N. – Women Equal Representation et al v. The Council for the Broadcast of Cable and Satellite Transmissions et al* (03.03.04)). This petition was filed against the Council's decision to broadcast adult channels, whose contents are pornographic and erotic, based on Amendment no. 27 of the *Communication Law (Bezeq and Transmissions)*. The Council initially prohibited the broadcasting of the "Playboy" Channel yet later changed its decision. The Court here agreed with the Council's interpretation of the law, both linguistically and on constitutional grounds.

91. The Court stated that according to the amendment, not all contents presenting sexual intercourse or acts, fall under the prohibition of objectification. Furthermore, pornographic broadcasts are sanctioned by at least two basic freedoms: freedom of expression and freedom of occupation. Freedom of expression, as a constitutional right, stretches over every expression, including pornographic and erotic ones, although the social value of these expressions is low. However, the offence caused by the expression of pornography, does not deny its pertinence to freedom of expression.

92. The Court examined whether the extent of the offense to the public's feelings surpasses the level of endurance, as only then it is justified to restrict the right of freedom of expression and creation. It should be noted that the broadcasts are limited to subscribers only, are broadcasted late in the day and require a secret code for each entry to the Channel. Here, feelings are offended, but since there is no obligation to watch the broadcasts, the damage is not severe and thus not sufficient to justify an affront to the freedom of expression and occupation, which are two of the basic freedoms in a democratic state. Although pornographic broadcasts are harmful to the dignity of women, under the existing social reality pornography is legal and available through the totality of mediums.

Prostitution

93. As discussed in our previous report, another form of publication, which is pertinent both to pornography and prostitution, is the advertising of sex services. On March 17, 2005, the Magistrate Court of Tel Aviv, in Cr.C. 3635/02, *The State of Israel v. Shoken Network Ltd. et al.*, sentenced 3 persons, the head of a newspaper network, director of a newspaper and the director of the newspaper's advertisements section, to 150 hours of service for the public for violating article 205 (C) (a) of the *Penal Law*, prohibiting any advertisement

for prostitution. Although the three were previously convicted of the above offence, the Court, based on the recommendation of the Probation Authority, decided to revoke their conviction and to require them to carry out their sentence. The Court also ordered all three relevant newspapers to pay a 125,000 NIS fine.

Women and Religion

94. Since our last report we have witnessed an important High Court of Justice decision in the matter of the "Women of the Western Wall". A group of women, representing all religious streams of Judaism petitioned the High Court of Justice (*A.H.H.J.C 4128/00 The General Director of the Prime Minister's Office et al v. Anat Hoffman et al* (06.04.03)) to uphold their right to freedom of religion and allow them to pray in the manner they wished – i.e., in a group wearing prayer shawls (usually only used by men) and using the Torah scroll at the Western Wall. The underlying issue is that for the prevailing Jewish denominations in Israel, and for most worshippers in the Western Wall, women prayer using male accouterments presents an affront to their practice methods and poses a problem for their own prayer methods. After further deliberation, in April 2003, the Court directed the state to make the appropriate arrangements to enable the group to pray at Robinsons Arch which is part of the Western Wall, but separate from the main prayer area, within 12 months. Modifying Robinsons Arch for the women's group required further construction work, and after a delay, on August 17, 2004, a special -prayer plaza was completed near the Robinsons Arch.

Violence against Women, Sexual Violence and Legal Aspects

Prevention of Sexual Harassment

95. Since our previous report was submitted, there were two major amendments of the *Prevention of Sexual Harassment Law*, both broadening the law's spectrum. The first amendment further applied the law to those in National Service, and the second to pupils in the twelfth, thirteenth and fourteenth grades, as well as pupils or students attending adult education institutions.

96. Current data indicates that since our previous report, 188 investigation cases were opened by the police due to sexual harassment complaints. 141 cases were closed due to lack of evidence, *Budgetary Principles Law* lack of public interest, lack of any wrongdoing or unknown offender. 36 cases are being processed by the Police Prosecution/Attorney General offices, and eleven cases are currently pending.

97. In 2002, the *Victims of Offences' Rights Regulations*, 5762-2002 ("*Victims of Offences' Rights Regulations*"), further implementing the Law, were promulgated. These Regulations list the locations where information pamphlets should be placed, in Hebrew, Arabic, Russian, Amharic, English and Braille. The pamphlets are to be placed in the following locations: social services departments, centers for the prevention of domestic

violence, police stations, courts, hospitals' emergency rooms, offices of the Department for Investigation of Police Officers, criminal secretariat of the state attorney, the district attorney's general offices, Magen David Adom (an Israeli first aid organization, parallel to the Red Cross), the Ministry of Social Affairs counseling bureaus and the legal aid bureaus.

98. The *Victims of Offences' Rights Law*, 5761-2001 ("*Victims of Offences' Rights Law*") and regulations are gradually assimilated into the various relevant bodies. The Police designated 6 regional offence victims' officers in charge of contact with victims of crimes (VOC) in each region, supervising the implementation of the Law and regulations in their respective regions as well as conducting training programs.

99. The Prison Service is also working towards implementing the law and its regulations, and a VOC officer was already nominated and is providing the relevant information to interested parties. The Prison Service is in the final stages of developing a nation-wide computerized call center to provide victims of crimes with the relevant information concerning their assailant's status within the Prison Service system.

100. The Department for Pardons in the Ministry of Justice, as a matter of policy, has integrated the basic principles of this Law in every aspect of its activities. This includes meeting with victims and their families and being attentive to the needs and perspectives of the victims throughout the pardon process.

Limitation on Sex Offenders Place of Residence and Employment

101. The Knesset added another layer of protection to victims of sexual violence. Under a new Law, *Limitations on the Return of a Sex Offender to the Victim of the Offence Surrounding Law*, a court can prohibit an offender from residing or working near his victim's place of residence or employment. This provided the court finds that the victim may suffer concrete mental damage due to the offender's proximity. The court is instructed to give proper consideration to the harm caused to the sex offender due to these aforementioned limitations.

Stalking

102. The *Prevention of Stalking Law*, 5762-2001 ("*Prevention of Stalking Law*"), mentioned in our previous report, was enacted in October 2001. The Law is intended to protect a person from harm to his peace, privacy, freedom or body, by another person, acting in a manner constituting stalking (e.g. intimidating harassment) or bodily harm. The court may issue a protective injunction against a person who engages in stalking, or impose further restrictions. The injunction shall be issued for a maximum period of 6 months, can be extended for additional six months, and even further extended given special circumstances to a total of two years. Current statistics indicate that since 2002, 2,946 requests for restraining orders were submitted to the Courts based on this Law, with a

distinct rise through the years – 472 cases in 2002, 1,167 in 2003 and 1,307 in 2004 up until October 1st.

Extent of the Phenomenon of Sexual Violence against Women

Minimum Punishments

103. As detailed in our previous report, the 1998 amendment to the *Penal Law*, instituted a minimum punishment for serious sexual offences, constituting 25% of the maximum that may be imposed. A further 2002 amendment prohibits imposition of suspended sentences except in special circumstances, which must be specified in the court's decision.

104. The Family Court in Jerusalem, in an important decision, ordered a husband to pay his battered wife 90,000 NIS (approximately 20,000 $) compensation, mostly as "punitive damages") F.C.C 018551/00 K.S v. K.M (07.06.04)). These damages were awarded to the wife for "five years of on-going grievance by way of abuse, scorn, humiliation and enslavement". The court here applied the option stipulated in the law for increased damages, due to the harsh circumstances.

Raising Awareness

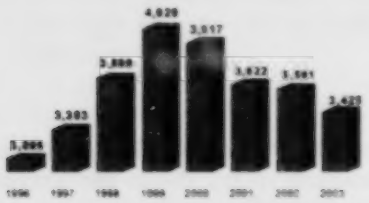
105. The Authority for Advancement of the Status of Women has initiated a nation-wide campaign on the issue of "Identifying Early Signs of Violence during Courtship", holding nearly 200 seminars (with 40,000 participants) throughout Israel. The Authority also conducted a large scale campaign in the media providing women with appropriate tools to identify and avoid violence in relationships.

106. The Courts Administration holds annual 5-days seminars for the Women-Status Trustees. The Trustees serve as the focal point for women-issues throughout the Administration. In the seminars, the Trustees learn about feminism, stereotypes, affirmative action and relevant legislation. In the years 2002-2004, the Administration also held workshops on violence against women, women status, and self-defence for women.

Police Handling of Sex Crimes against Women

107. Comparing to our previous report, over the last four years there has been a decrease in the number of sexual violence cases investigated by the police.

Chart 1 - Sexual Violence Offences, 1996-2003



Source: Israel Police, Crime in Israel 2003

108. In 2003, the police opened 3,294 criminal investigation cases of sexual violence involving women as victims, 655 of these cases pertaining to sexual violence against women in the family (not necessarily incest), and 294 of them were for rape and indecent acts by a spouse (compared to 281 in 2002).

Sex Criminals in the Penitentiary System

109. The Prison Service activates sexual offenders' therapeutical groups through the Mental Health Center in Ramle, targeted at lowering the risks of sexual violence. There are further programs run by social workers in the different prisons.

110. Early release and vacations of prisoners sentenced for domestic violence are discussed in joint committees held in four districts. The Committees' members are from the Prison Service and the Ministry of Social Affairs. The Committees receive the social services reports as to the status of the family (e.g. the victims) and the prisoner treatment in prison. There are also regional committees with Psychiatrists from the Ministry of Health to discuss and diagnose extreme cases of domestic violence.

The Sexual Assault Help Centers Data

111. The Israeli Sexual Assault Victim's Help Centers Union is a parent organization to all help centers operating in Israel, working as a social change agent on a national level, lobbying legislation amendments, and issuing annual reports on sexual assaults.

112. The union has initiated two major legislation amendments, one regarding the need to broaden the definition of "family member" in the *Penal Law*, to include family members such as foster family members and cousins. The other amendment observes the need to extend the period defined in the *Limitation Law*, 5718 - 1958, ("*The Limitation Law*") for offences committed against minors by a non-family member.

113. The union also addresses the issue of the courts' attitude towards sexual offences, with a 5.9 years average-sentence in 2003 in the District Court (which has jurisdiction over

offences with a maximum penalty of over 7 years). Another issue currently promoted by the union is its campaign against the forthcoming amendment to the *Limitation Law*, due to the state's refusal to add a special long limitation period, specifically to victims of sexual assault.

Domestic Violence - Legal Aspects

Recent Amendments to the Prevention of Violence in the Family Law

114. Amendment no. 5 (2000) to the *Prevention of Violence in the Family Law* encompasses a change in attitude regarding firearms to those given a protective injunction. Previously, a court that convicted an individual of any violent crime was not to refuse without special reasons the prosecution's request to suspend whatever firearm license that individual might have, or to deposit that firearm with the police. Pursuant to Amendment no. 5, a person given a protective injunction shall be routinely prohibited from carrying or bearing a firearm, including one issued to him by the security forces or another state authority – this prohibition shall apply – unless certain condition specified in the law are met.

115. The 2001 Amendment no. 7 to the same law established a duty upon certain professionals detailed below, to inform a person treated or advised professionally, reasonably thought to be the victim of a violent or sexual offence committed by her current or previous spouse, of her options – turning to the police, social service department or centers for the treatment and prevention of domestic violence. The duty applies to the following: doctors, nurses, pedagogies, social workers, police officers, psychologists, clinical criminologists, para-medical personnel, lawyers, religious scholars and rabbinical pleaders.

Other Legislative Developments

116. Another important revision is Amendment No. 36 of the 1982 *Criminal Procedure Ordinance* (from 2002), which added Sections 59A and 62A. According to these sections, a police officer and/or a public prosecutor may not rely solely on a spouse's request as an indicator for the determination whether the matter is one that lacks public interest, thus justifying not conducting an investigation or prosecution in a sexual or violent offence among spouses. This stems from the known fact that in many of these cases the victim wishes to rebut her claim, although it has great substance, due to fear from the assailant.

117. In order to encourage victims of sexual offences to come forward and make complaints, on September 2004, the Supreme Court ruled against the publication of the complainants' identities when relating to sex offences, following the conclusive acquittal of the accused *(C.A.A 5877/99 Haim Yanos v. The State of Israel (28.09.04))*. The Court stated that when it rejects the specific complainant's claims, it no longer has to continue and protect her and her interests (privacy, dignity and reputation). However, above all, stands the significance of the public interest to encourage women to come

forward and complain. The society's wish to expose criminals will be badly hurt if the names of complainants, even false-complainants, will be published.

Extent of the Phenomenon of Domestic Violence

Domestic Violence – General Data

118. Recent data from the National Service for Social Work within the Ministry of Health indicates that on average, each year, 2,500 women are reported as victims of violence. These figures are based on reports from hospitals, Sick Funds and Mother and Child Care Units. Most of these women (80%) are detected due to physical injuries, 10% due to sexual assault reports and the rest – neglect and other forms of grievance.

119. The Ministry of Health initiated seminars, workshops and lectures to better prepare medical aid personnel to recognize victims of domestic violence. Over 7,000 doctors, nurses, social workers and others participated in these programs between 2000 and 2003. Furthermore, the Ministry of Health initiated a program encouraging hospital personnel to enquire women of possible violence, regardless of the cause of their admittance. The Ministry of Health' Director General recently issued a circular, obligating doctors, as part of the routine admittance procedure, to enquire about past instances of violence.

120. Among the additional steps taken to institute sensitization concerning domestic violence are: the circulation of informative and guidance materials for care-takers and female victims of violence; the reinforcement of district health bureaus and hospitals with social workers who have domestic violence treatment expertise; establishment of three district centers for the treatment of sexually assaulted women (in Tel Aviv, Haifa and Tiberias); issuing professional procedures for all agents of the health system regarding violence and sexual assault; the establishment of information pools concerning victims of domestic violence, sexual abuse and neglect of minors and the helpless.

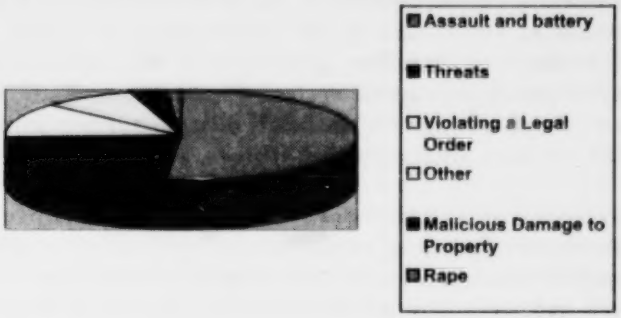
121. The Authority for Advancement of the Status of Women conducted an extensive survey aimed at exploring the public's awareness of identifying early signs of violence during courtship. The survey showed a very low level of public awareness of these signs. Nonetheless, 90% of the women stated that they would discontinue their relationships upon identifying such indicators. About a third of the public pointed out that it had encountered spousal violence amongst their friends and about 17% of the women had themselves suffered violence during courtship.

Police Handling of Domestic Violence

122. Police records show a decrease in the number of complaints of domestic violence. Thus, in 2003, 20,267 cases of domestic violence were recorded, a 2.9% decrease to the 20,857 cases recorded in 2002. Of the cases recorded, 15,468 were for physical violence,

compared to the 16,058 physical violence cases in 2002. The following chart illustrates offences upon which spousal cases were recorded.

Chart 2 – Spousal Violence Cases, 2003



Source: Israel Police, Crime in Israel 2003

123. Domestic violence remains a threat to women and their very existence. In the first 9 months of 2004, 10 women were murdered by their spouses. The following chart demonstrates the rise in spousal murder.

Chart 3 - Murder of Women by Their Spouse, 1994-2003

Source: Israel Police, Crime in Israel 2003

124. As detailed in our previous report, a national investigative system focusing solely on domestic violence has been operating since 1998 in all police stations throughout the country, consisting of 120 specially trained investigators specializing in domestic violence cases. Fifty other investigators handle these cases in smaller police stations in

addition to their usual workload. There are 2-7 domestic violence investigators in each police station, depending on its size. Nine of the 120 positions were reserved for Arab women investigators in stations that serve the Arab community and there are currently 18 Arabic-speaking investigators, 14 Russian-speaking and 3Amharic-speaking officers. In addition to a weeklong preparatory course detailed in our previous periodic report, which includes theoretical and practical knowledge in the sociological and legal aspects of domestic violence as well as the various police guidelines in this field, there are also yearly seminars for new investigators joining the system. Furthermore, domestic violence (as well as sex offences) workshops are held for the heads of investigation units as well as station officers, investigators, rotation officers, patrol officers, etc.

125. Following a request made by the Victims of Crimes (VOC) section in the police, the police behavioral sciences department conducted an extensive survey concerning the domestic violence investigators and patrol officers attitudes with respect to various topics regarding violence against women. By and large, the survey indicated that the domestic violence investigators have a more positive stance towards battered women than the patrol officers. Both had the same degree of faith in the women's motives for filing the complaints. Also, the investigators deem the police treatment in domestic violence as effective. The survey also compared the current survey to a survey held in 1993, measuring up police officers stance towards battered women to that of social workers. The comparison clearly demonstrates a considerable improvement in the police officers' position in general and a larger improvement in that of the domestic violence investigators.

Additional Data on Police Practices Regarding Domestic Violence Cases

126. It should be noted, that under the police internal regulations, members of the police force are to provide quick and efficient solutions in situations where restraining orders issued are violated, according to the level of severity of the violation and the potential hazards involved.

Centers for the Treatment and Prevention of Domestic Violence

127. The number of Centers for the Treatment and Prevention of Domestic Violence is at a constant rise - 49 to this date (18 additional centers since our previous report was submitted). In 2004, the centers treated 6,947 families (8,556 persons) – a 13% rise to 2003, of those treated – 26% were men, 65% were women and 9% were children who witnessed domestic violence. The Centers in total held 266 therapeutical groups (compared to 210 in 2003, a 27% increase). Furthermore, 15 of the Centers have programs combating violence against the elderly. Some Centers are operated by women associations and organizations, but are fully funded by the Ministry of Social Affairs (75%) and the local authorities (25%).

128. In 12 local municipalities, designated social workers were placed in police stations, for the purpose of conducting conversations with victims of domestic violence and aggressors, referring them to the Centers.

Shelters for Battered Women

129. The Ministry of Social Affairs provides battered women with three phases of shelter-care. All shelters are operated by women associations and organizations, but are fully funded by the Ministry of Social Affairs and the local authorities.

130. The first phase is aimed at women in the preliminary phase of moving out of their homes to shelters, these are "reception apartments", located in 5 municipalities: Afula, Ashdod, Ashkelon, Be'er Sheva and Dimona. These apartments are designated for women of all sectors, and are also adapted for women with disabilities. The duration of stay in these apartments is limited to six weeks and in the year 2004 - 63 women and about 100 children were housed in these apartments (a 43% increase compared to 2003).

131. In the second phase, 14 shelters are available for battered women and their children. These shelters housed 692 women and 1,064 children in 2004. There are currently two shelters serving the Arab sector and one for Orthodox and ultra-Orthodox women. One of the Arab shelters and another shelter can house women with disabilities. Another shelter is undergoing the required arrangements to accommodate women with disabilities. The shelters are located all over Israel; all receive women on a 24 hours basis.

132. Lastly, there are currently 16 "transitional apartments", intended to assist women in their transition back to life outside the shelter. In 2004, these apartments housed 54 women and 93 children for a length of stay ranging between 6 to 12 months.

Hotlines

133. There is currently a national hotline for battered women and children, operated by the Ministry of Social Affairs through the "Emergency Line" Association. In 2004, the hotline received 4,700 calls from women, men and children. The service is available in Hebrew, Arabic, Russian and Amharic. There are several additional hotlines run by NGO's, receiving roughly the same number of calls. The Israeli Sexual Assault Victim's Help Centers Union reported that during the first 9 months of 2004, it received 5,600 reports from women who were raped or sexually assaulted.

Treatment of Battering Men

134. There are several programs developed for the treatment of battering men. The Prison Service established various treatment frameworks for domestic violators. One such program is the "Beit Hatikvah" or "the house of hope", aimed at lowering the inmates' level of violence, operating at the Hermon prison. Two similar programs are conducted in

the Tzalmon and the Carmel Prisons. Additionally, domestic violators' treatment groups are active in all prisons, offering help in acknowledging and managing the problem.

Violence against Women within the Arab Sector

135. In 2003, 3 Arab women were murdered in the name of what is known as "family honor". Murder is a severe crime, punishable by life imprisonment. The Israeli police, as well as Israeli legal system, regard any murder as such, and investigate it vigorously, regardless of the motives of the murderer. Israeli law recognizes no mitigating circumstances in such cases and prosecutes, indicts and punishes the perpetrators in all severity.

Article 6 - Suppression of the Exploitation of Women

General

136. Israel is a country of destination for victims of trafficking in persons for the purpose of prostitution. In 2003, the Police estimated that approximately 2,000 to 3,000 women were engaged in prostitution in Israel and that most women engaged in prostitution were in fact victims of trafficking. According to Police estimates, during 2004, there has been a significant decrease in the number of women engaged in prostitution, especially in the Tel Aviv area, the central location for such activities.

137. The victims of trafficking come predominantly from former Soviet Union Republics and the major trafficking route is illegal smuggling via the border with Egypt. Due to strict supervision, entry via the official sea and air ports is insignificant.

138. The State of Israel does not tolerate the phenomenon of trafficking in persons, has combated this phenomenon in the past, and has continued to do so, with increased vigor, during the reporting period. This issue is a matter of priority for the government. In the past four years, in particular, Israel has undertaken increased efforts to prevent trafficking, to protect its victims and to prosecute the perpetrators.

Prevention

Information Campaigns

139. On the prevention front, there has been great emphasis placed on performing information campaigns, for potential victims and for the public in general.

140. During the latter part of 2004, the Ministry of Foreign Affairs initiated an information campaign in countries of origin for potential victims of trafficking in order to warn them of the dangers and risks involved in entering Israel illegally, and to alert them of the gaps between what is promised by the traffickers and the harsh reality. This is a precedent-setting campaign that has already received positive feedback from organizations in the countries of origin.

141. Also in the realm of prevention, the Ministry of Justice published information on the phenomenon of trafficking and the steps taken by the government to combat it on the internet site of the ministry, accessible to the public. The public was apprised of this information by means of advertisements in two daily newspapers. In addition the Minister of Justice issued on "opinion" on the issue of trafficking which can be accessed by the public.

142. There were a number of documentary films screened on public television geared to raising the public awareness regarding the issue of trafficking. In addition, the Ministry of Education, Culture and Sport is incorporating relevant programs into the school curriculum.

Border control

143. Due to strict supervision, entry via the official sea and air ports is insignificant. The major trafficking route is illegal smuggling via the border with Egypt. In March 2003, a new police unit called the Ramon Border Police Unit was established to monitor the border with Egypt in order to prevent smuggling of persons, drugs and weapons. It has received special instructions with regard to the treatment of suspected victims of trafficking. Strengthened enforcement resulted in a 20% decrease in the number of persons trafficked through the border.

144. Serious efforts have been exerted in this regard. As a result of the intense activity, in 2004, 36 women were caught being smuggled across the Egyptian border into Israel for the purpose of prostitution.

The Legal Framework

Legislation

145. Trafficking in persons is specifically prohibited by law in Israel. In fact, there is a specific provision in the Israeli *Penal Law* that prohibits trafficking in persons. This is section 203A of the *Penal Law* which states that:

a) Selling or purchasing a person in order to engage him in prostitution or serving as a middleman in the selling or purchasing of a person for this purpose is punishable by a term of imprisonment of 16 years; for the purposes of this section, "selling" or "purchasing" includes consideration in the form of money, value, services or any other interests.

b) Causing a person to leave the state in which he lives in order to engage in prostitution is punishable by a term of imprisonment of 10 years."

146. If the victim is a minor, the penalty is 20 years imprisonment. Trafficking offences are also included as predicate offences in the *Prohibition on Money Laundering Law*, 5760-2000 ("*Prohibition on Money Laundering Law*").

147. A number of recently enacted laws have assisted in the battle against trafficking. For example, a landmark law against organized crime entitled the *Combating Organized Crime Law*, 5763-2003 ("*Combating Organized Crime Law*"), classifies trafficking in women as a felony. In addition, if an offence is committed in the framework of a criminal organization, even if the activity is not enumerated within the new law, the perpetrator is liable to a sentence of double the period prescribed by the relevant penal law, (up to a 25 year imprisonment limit). There are severe sentences for trafficking offences committed in the framework of organized crime- up to 25 years imprisonment.

148. In addition, further amendments have been passed limiting the minimal sentences for traffickers to a quarter of the maximum sentence, authorizing the indictment of citizens or residents who commit trafficking offences overseas even if such activity is legal in the foreign jurisdiction, expediting early testimony of victims, and allowing victims to testify in the absence of the accused.

149. There are a number of bills that have been proposed to combat trafficking in persons, amongst them is a broad bill on trafficking, with substantive and procedural provisions. This bill passed a preliminary reading and the Constitution and Law Committee has commenced deliberations in preparation for the first reading.

Investigation and Prosecution

Police Activities

150. Cooperation between Israeli police and police in countries of origin is maintained, thus laying the groundwork for the extradition of a central trafficker during 2004. The Chief of Police announced that a top priority for the year of 2004 would be combating organized crime including trafficking in persons. As a result, the police devoted increasing efforts to closing houses of prostitution and apprehending criminals involved in prostitution and trafficking.

151. Police policy in this regard dictates strengthening coordination with economic enforcement units such as the tax authorities and the Money-Laundering Agency in organized crime offences in general and trafficking offences in particular.

152. Positive cooperation has been developing between the Israeli Police forces and the Police forces of Germany, Russia and the Ukraine. Recently Germany has initiated an investigation regarding the involvement in organized crime groups and the trafficking of women, of Israeli citizens originally from Russia. Numerous arrests were executed with regard to this episode. Israel has assisted the German Police forces through supplying intelligence material and sending investigators.

Table 1 - Police activity against traffickers

	2002	2003	2004
Number of investigations	67	51	50
Number of suspects arrested	92	92	109
Accused arrested for the duration of the trial	55	65	72
Witnesses hosted in the police funded hostels	130	114	166 In shelter

Source: Israel Police, January 2005

153. In the wake of this concentrated activity, the number of trafficked victims has decreased substantially during 2004, according to Police estimates.

The Prosecution

154. Throughout 2003, over 50 indictments were filed by the State's Attorney's Office. During the period of March 2003-February 2004, the Prosecution filed approximately 53 indictments for trafficking in persons for prostitution and related offences, involving more than 90 accused.

155. According to records provided by the Courts Administration, during 2004, the Prosecution filed 89 indictments for trafficking in persons for prostitution and related offences.

156. Several indictments filed during 2004 included organized crime offences as well as trafficking offences. In several indictments a request for confiscation of the monies gained from the commission of the offences was included. In one of the cases, a request for confiscation of property and vehicles was included as well. This is an important development, as trafficking cannot be uprooted without striking at its economic roots.

157. The Prosecution advocates a broad interpretation of section 203A of the *Penal Law* (the trafficking offence) in court and lobbied for stringent sanctions against traffickers, including compensation for victims. Accordingly, several cases have ended with severe economic sanctions for traffickers.

Courts

158. Since its enactment in 2000, the Courts have interpreted the relevant legislation in a broad manner, thus enabling the conviction of traffickers despite the efforts of defence counsel to stress the letter of the law at the expense of its spirit. Courts have also shown enhanced understanding and awareness of the gravity of this offence and of the need for more severe sanctions. The Courts have explicitly and repeatedly stressed the severity of

trafficking offences and expressed the view that it is their obligation to impose strict sentences in order to reflect the severe maximal penalty imposed by law (16 years imprisonment).

159. In addition to imposing strict punishment, according to section 77 of the *Penal Law*, courts are authorized to rule upon compensation to victims of offences of up to the sum of 228,000 NIS per crime. There is a growing tendency for Courts to rule upon compensation for the victims of trafficking. It is noteworthy that the strict attitude of the courts is explicitly stated in cases of related offences as well.

The Parliamentary Investigative Committee on Trafficking of Women

160. One of the main factors contributing to the combat of trafficking in persons, both in the area of legislation and in raising public awareness, is the activity of the Parliamentary Inquiry Committee on Trafficking of Women. The Parliamentary Inquiry Committee which was a temporary committee appointed for a limited amount of time, has recently become a permanent subcommittee of the government Ombudsman Committee of the Knesset. This betokens recognition in highest echelons of the Knesset of its continuing importance.

161. The Committee is active in the realm of legislation and has proposed several bills and is essentially a forum where various ministries discuss the issues and possible ways of combating the phenomenon of trafficking amongst themselves and with the NGOs.

The Actual Situation

Sentencing

Severe Sentences

162. Since the enactment of section 203A, there has been a steady increase in the sentencing of trafficking offences and in the last 2 years, there has been a series of very serious sentences meted out to traffickers. The Courts have explicitly and repeatedly stressed the severity of trafficking offences and express the view that it is their obligation to impose strict sentences in order to reflect the severe maximal penalty imposed by law (16 years imprisonment). In C.C. 904/03 *the State of Israel v. Sragi Ben Victor Zlutzky et al.* (1.2.05) the Court imposed harsh punishments in spirit of the law: the first defendant received a sentence of 13 year imprisonment and a sum of 25,000 NIS as compensation to be paid to each victim, the second defendant received a sentence of 6 years and 15,000 NIS to be paid as compensation to each victim. Similarly, in C.C. 212/01 *the State of Israel v. Mordechai* (8.2.05) the Court imposed 12 year imprisonment on the defendant for trafficking charges. In a recent case C.C. 774/04 (14.3.05) *The State of Israel v. Genadi Boslovitz et al.*, the sentences imposed on the defendants were strict. The first defendant received a sentence of 14 years imprisonment, 2 years of suspended imprisonment, a sum of 15,000 NIS as

compensation to be paid to each of the ten victims, a fine of 50,000 NIS or alternatively 6 months imprisonment, and confiscation of 200,000 NIS. The second defendant was sentenced to 10.5 years imprisonment, 1.5 years of suspended imprisonment, a fine of 20,000 NIS or alternatively 3 months imprisonment.

163. In a landmark decision this year, the Supreme Court set a sentencing policy in cases where trafficking is not attended by overt violence. In C.C. 1075/03 *The State of Israel v. Alexander Shalom Melokondov* (23.9.04) in which the Court meted out 12 years imprisonment, the Court ruled that the consent of the woman is irrelevant to the offence of trafficking and that this crime is so heinous that its perpetrators deserve severe sentences even if they did not use overt violence.

Compensation for the Victim of the Crime

164. According to Section 77 of the *Penal Law*, Courts are authorized to rule upon compensation to victims of crime up to the sum of 228,000 NIS per crime. There is a growing tendency of courts to rule upon compensation for the victims of trafficking. The majority of the cases decided by the courts included compensation for the victims. In addition, recent sums ruled upon have been relatively substantial. For example: in C.A. 3719/03 *Anonymous* v. *the State of Israel* (10.6.04) the Court ruled that 25,000 NIS should be paid to the victim. In C.C. 1237/02 *the State of Israel v. Vladimir Vaba Ben Nison Chaimov et al.* (15.6.04) - the Court ruled that 15,000 NIS should be paid to 2 victims by one defendant, and 7,500 NIS to the other 4 victims by each defendant. In C.C. 904/03 *the State of Israel v. Sragi Ben Victor Zlutzky et al.* (1.2.05) each of the victims were ordered to receive a total of 40,000 NIS, from the two defendants. In C.C. 774/04 (14.3.05) *The State of Israel v. Genadi Boslovitz et al.*, the first defendant was ordered to pay a sum of 15,000 NIS to each of the ten victims.

Protection and the Human Dimension

Shelter

165. A shelter for victims of trafficking has been established and has been operating since February 15, 2004. The shelter has the capacity to house up to 50 individuals and creates a supportive climate, providing access to psychological, social, medical and legal assistance. The shelter has recently been in almost full capacity. While the shelter is under the responsibility and supervision of the Ministry of Social Affairs, it is operated by an NGO.

Assistance to Victims outside the Shelter's Framework

166. *Housing* - Victims who do not reside in the shelter are housed in a number of places. As a rule, they are not housed in prisons. Those who do not choose to testify and are not in the shelter are housed in one of the following locations: in the "Michal" facility for

illegal entrants in Hadera, in Zohar in the south and in Maasiyahu prison in a special section for illegal migrants. In all these places of detention, conditions are relatively pleasant, victims are apprised of their rights, representatives of NGOs are given access in order to render assistance and attempts are made to listen to the needs of the victims.

167. *Medical Services* - Victims who do not reside in the shelter are given basic necessities and medical care in the framework of the facilities of the Immigration Administration. Ichilov Hospital in Tel Aviv and Shaarei Tzedek Hospital in Jerusalem provide the women basic medical ervices. The women can receive unconditional emergency medical aid at any of the emergency rooms in the country. In addition, they continue to be eligible for free medical services for sexually transmitted diseases in the two clinics in the framework of the Levinsky Medical Center in Tel Aviv and Haifa.

168. *Risk Assessment* - If there is some evidence of danger to a trafficking victim, Police intelligence with the assistance of Interpol and Israeli Police delegates abroad prepare a risk assessment which relates to her risk status in Israel and in her country of origin. If it is found that she is in danger in the country of origin, attempts are made to find a solution and for example by maintaining contacts with the IOM (International Organization for Migration(or NGOs in the countries of origin in order to coordinate a safe house and rehabilitation program.

169. In two cases during 2004, the Police reached the conclusion that these claims were well founded, and the women were consequently not returned to their countries of origin.

Coordination

170. In December 28, 2003, the Government decided on the establishment of a Directors-General Committee to develop policy and programs with regard to trafficking in the areas of prevention and protection of victims' rights. In this decision, the Government obligated the Minister of Justice to appoint a coordinator to be involved in prevention efforts, as well as victims' protection. For the past two years, a de facto coordinator operating under the auspices of the Ministry of Justice coordinated the efforts of other government offices and NGO's promoting the rights of the victims to the greatest extent possible. This helped forge solutions to the host of urgent, personal, problems as well as general issues that arose via the assistance of the relevant government bodies. Currently, a new coordinator is to be appointed.

Visas

171. In the past few years, the Ministry of the Interior has been granting temporary visas to the victims of trafficking for an initial period of 6 months (that may be extended). During 2004, the former Minister of the Interior has approved every application for a temporary visa submitted by victims who have concluded their testimony. All victims residing in the shelter automatically receive temporary visas. Moreover, the former

Minister of the Interior issued a policy statement by which, as a rule, victims who have concluded their testimony will be issued temporary visas which include work permits. In addition, in one case, in the wake of a recommendation of the Court, the Minister granted a 2 year visa to a victim of trafficking who had been diagnosed HIV positive.

Courts

172. The Supreme Court has been in the vanguard of change and expressly stated on several occasions that trafficking is a violation of human rights and that the trafficking offence must be interpreted in a broad manner in accordance with the international conventions on trafficking and constitutional human rights law. In addition, courts have begun to develop a practice of awarding compensation to victims of trafficking. In C.C. 455/02 *State of Israel v. Burstein* (7.6.04), the Court further developed the interpretation of "the middleman" in the trafficking offence. This offence was broadly interpreted as not requiring direct proof of money changing hands. Another important development is a wider application of the laws of rape on trafficking situations. In such situations, a trafficker's sexual relations with a woman in his control may be viewed as rape even if she does not expressly say no or physically oppose it. (C.C. 904/03 *The State of Israel v. Sragi Ben Victor Zlutzky et al*).

Legal Aid

173. Legislation has entered into force in August 2003 entitling victims to representation by lawyers from the Legal Aid Division of the Ministry of Justice in civil suits initiated against traffickers and for certain administrative hearings. The legislation does not require a financial eligibility prerequisite and will be applied in a gradual manner.

Police

174. The Police have shown a growing awareness of the rights of victims and have issued guidelines to protect these rights. For example, in general, it is forbidden to arrest or investigate victims of trafficking on suspicion of crimes integral to their status in the country, such as illegal entry. In addition, police are enjoined from eliciting complaints about trafficking and are reminded that testifying victims are not to be held in detention.

175. The police also aid in the protection of victims by performing risk assessments in cases where the victim claims she or her family will be endangered if she is returned to her country of origin. In addition, investigators by and large treat victims with empathy.

Education, Awareness and Cooperation

Study and training

176. Police investigators receive special training for handling trafficking cases on an annual basis. The School of Continuing Education for Police has recently carried out two

programs with relevance to trafficking. One was a week devoted to organized crime, which included trafficking rings (December 2004). The other is a week devoted to trafficking in persons in February 2005. The Institute of Legal Training for Attorneys and Legal Advisers in the Ministry of Justice held a seminar on the influence of international law on criminal law on February 3, 2005, which included a lecture on trafficking in persons. Both institutions have provided training on trafficking in the past 4 years, for investigators and prosecutors.

Cooperation with NGOs

177. The Government attaches great importance in maintaining an ongoing channel of communication with NGOs and civil society at large on the trafficking issue. To this end, the government cooperates with many NGOs in various fields such as prevention and protection of victims of trafficking. There is a constant dialogue between branches of government and NGOs on the trafficking issue. This exchange has borne fruit in both legislative initiatives and common action.

178. Israeli NGOs organize events for raising awareness to the issue of trafficking in persons, various grassroots meetings are held between the representatives of the government and representatives from NGOs.

International Conferences and Cooperation

179. The Government of Israel attaches great importance to its participation in relevant initiatives in the international arena. The government coordinates and participates in several international working groups and efforts to prevent, monitor and control trafficking.

180. The Israeli Police works closely with Interpol in the area of trafficking. The Israeli Police maintain direct cooperation with several countries of origin and other countries, through its representatives abroad. Over the course of 2004, there was outstanding cooperation with foreign police forces in several cases amongst them: Russia, the Ukraine and Germany.

Involvement of Minors in Prostitution

181. Current figures indicate that 10%-12% of the female-minors in the care of the Service for Women and female-minors of the Ministry of Social Affairs engage in prostitution, (approximately 45 female-minors). Another unknown number of female-minors, estimated at hundreds by the inter-ministerial and inter-organizational committee examining this issue, have been exposed to various types of commercial sexual exploitation.

Rehabilitation Programs for Women and female-minors in Distress

182. As mentioned in our previous report, there are no rehabilitation programs specifically geared for sexually exploited female-minors and women. The major rehabilitation program for female-minors is the Service for female-minors in Distress of the Ministry of Social Affairs. The service treats female-minors aged 13-21 in the Jewish sector, and up to age 25 in the Arab sector. Overall, the Service has treated 17,000 female-minors in 2004.

Article 7 - Political and Public Life

Women in Political life in Israel

183. Women in Israel are eligible to vote in all elections and to be elected to every public office, as well as to serve in publicly elected positions, they take part in the formulation of all aspects of government policies and their implementation, as detailed throughout this Article.

184. Women's representation in Israeli political life has progressed in all fields, although there is still a gap between men and women's representation in certain areas of the political life.

Women's Representation in the Knesset

185. There are 18 female Knesset members in the current 16th Knesset, comprising 15% of the Knesset members - the highest ever. The current Knesset has a woman MK serving as a Deputy Knesset Speaker, four women as head of Knesset Committees and 2 women head sub-committees.

Women in the Government

186. The current 29th Government, headed by PM Ariel Sharon, has three women ministers (Justice, Education, and Communications). In addition, there are five women director generals in various governmental ministries. There are currently four women serving as deputy-Ministers.

Women in Local Authorities

187. Although women make up about 60% of the employees in the local authorities, only 4% of them serve in high-ranking positions.

188. 207 women were elected to the local authorities' councils in the last elections - a total of 10.3% of the electives. Overall, women were chosen to councils in 87 out of the 158 local authorities. Thus, while women's percentage in Jewish local authorities' councils

reaches 14.2%, Arab women comprise only 0.5%. Similarly, women were elected at 82% of the Jewish local authorities and only at 4% of the Arab local authorities. This gap is usually explained as the result of various socio-cultural factors such as religion and local tradition, given that in certain minority communities, the role of the women is still somewhat restricted when considering public service positions.

189. It should be noted that the Authority for the Advancement of the Status of Women is working towards increasing the involvement of women in municipalities. This is done through the strengthening of knowledge and awareness to women's involvement in local politics and the preparation of a "Women Reserve" for the next local elections, especially among the Arab sector. Appeals also have been made by the Authority and the Union of Local Authorities to appoint women to high-raking positions in municipal corporations.

Women in the Civil Service

Ranks of Women in the Civil Service

190. Women maintain an absolute majority in the following professions in the Civil Service: nursing (85%), biochemists - engineers (84%), social workers (84%) advocates (66%) jurists (66%) and administration (63%).

191. Although women constitute 64% of the Civil Service, their representation in high-ranking posts remains relatively low. The rate of women among the three top ranks of the senior staff of the Civil Service, the main source for administration managers, has remained the same since our previous report was submitted. In 2003, women totaled 40% of the top three ranks, and 72% of the manpower in the lowest ranks.

Tenders in the Civil Service

192. A significant amendment in this field was the enactment of the *Public Tender Law* (Amendment no. 12 from 2002), relating to State tenders for purchasing goods, real-estate, and services which prohibits discrimination amid the candidates in a government tender for certain grounds, including gender, sexual inclination, personal status and parenthood.

193. The gaps between men and women in Civil Service's internal job-tenders participation, both as candidates and appointees, have diminished in the past four years. There were more women-candidates than men in every year since 2000, with 62.36% in 2003. This trend is also apparent in the appointment of women for positions in the Civil Service, with 61.52% women-appointees in 2003. The situation in public tenders has also improved, women being 49.11% of the candidates in 2003, and comprising 53.50% of new appointments. Yet there remains a slight disparity in favor of men (in relation to their high percentage in the Civil Service in general.

194. The Civil Service Commission, added a segment in tender announcements regarding affirmative action for women, providing special measures for women and establishing educational programs on the issue of affirmative action for women and for members of tender committees.

Women in Key Positions within Israel's Economic and Public Life

195. At the end of 2002, the Knesset amended the *Planning and Building law*, adding a mandatory representative of women's organizations in the National Council for Planning and Building in order to integrate women's issues into the general planning and building agenda.

196. The New Histadrut (the largest employees' organization in Israel) Employees Committees Election Code stipulates that a female candidate who received 50% of the votes shall be preferred over a male counterpart in companies that employ over 300 employees, where at least 25% of whom are female. The code further specifies that a 30% minimum of the members of employees committees shall be of each gender.

The Judiciary

197. The number of female judges continues to climb. In October 2004, there were 262 women judges out of a total of 542 judges, (48.3% of the judiciary in Israel). The number of female Justices on the Supreme Court has risen to 41% (5 out of 12 permanent Supreme Court Justices). Women continue to compose the majority of professional labor judges (67.3% of the judges, and 57.1% of the registrars), nearly half of the District Courts judges (41.3%), almost half of the Magistrate Courts Judges (48.7%) and more than half of the registrars in both instances (56.9%). Women have also increased their role as public-representatives in the labor courts (constituting 14.8%) representing employees and employers' unions side by side with professional judges.

198. The legal Profession - As detailed in our previous report, in the public sector, women remain a majority of the legal profession. The retiring State Attorney was a woman, and as of July 2004, 113 (66.9%) of the 169 legal advisors in the Ministry of Justice were women, and similar percentage of women were working in the State Attorney and the Attorney General's offices (432 women to 210 men) and the Public Defenders office (33 women to 15 men). There were also 201 female legal-interns to 120 male legal-interns, and 22 women in the senior judge-equivalent rank, to only 8 men.

Government Corporations

199. As stated in our previous report, women's representation on the Boards of Government Corporations is rising. At the beginning of 2005, women constituted 37% of the directors. There were 5 women (11.36%) serving as heads of a board of directors (4 new

nominations since our last periodic report), and 10 women served as Director General's of governmental corporations.

200. The Authority for Government Corporations, in cooperation with the Authority for the Advancement of the Status of Women, have requested all governmental corporations to address the issue of women's appropriate representation in their annual reports.

Women in the Military

The Legal Framework

201. In December 2000, the Minister of Defence issued the *Defence Service Regulations (Determining Positions for Women Volunteer Service), 5761-2001* ("*Defence Service Regulations (Determining Positions for Women Volunteer Service)*"), in accordance with section 16A of the *Defence Service Law [Consolidated Version]*, listing all positions requiring active volunteering, thus granting equality between men and women veterans who served in those positions. In addition section 16A is aimed at ensuring substantial equality in opportunities for placement and positions within the military, as well as in duties that accompany such positions which are designated by the Minister of Defence, according to the law.

202. Following the abolition of the women corps (Chen), the Chief of Staff nominated on August 1, 2001, a special body, headed by the Advisor on Women Issues (a brigadier general). This body is assigned to create an atmosphere where women can better utilize their abilities in the IDF and advance equal opportunities, for the objective of empowering women in the IDF and the Israeli society. *Per example: Implementation of the Miller Case within the Israel Defense Forces.*

203. In 1995, the Supreme Court decided in the landmark *Alice Miller* case that the IDF could not claim that it is bound by logistic and budgetary constraints, as a justification for excluding women from serving as pilots in the Air Force. In three separate majority opinions, the Court rejected the army's reasoning and determined that the principle of equality required the army to overcome such constraints and accommodate the natural biological needs of women. The IDF continues to take steps to implement the conclusions reached in the *Miller* case, integrating women in the IDF in a wide range of positions previously fulfilled exclusively by men.

204. One of the measures taken to implement Section 16A of the *Defence Service Law [Consolidated Version]* involves a comprehensive review of all issued military orders, exploring the differentiation between men and women. In the years 2002-03, 360 such orders were examined and the Office of the Advisor on Women Issues found that 160 of them needed further examination, eventually recommending the cancellation or reduction of the gender distinction in 74% of these orders. Another measure taken was applying the rule of equality between men and women serving in combat related

positions, regarding the duration of the volunteering period. Further steps are examined regarding the adding of positions open to women service in the IDF.

205. Another amendment involves women's service in the reserve forces, where women in combat-related positions now serve until the age of 45, with no exemptions for pregnant women and mothers, whilst women in non-combat- related positions serve up to the age of 38, and are exempted from service due to pregnancy and motherhood.

Women and Men in the Military

Women and Men Officers

206. Female officers make up 26% of the officers in the regular forces and 18% of the career service. In recent years there has been a dramatic increase in the number of female officers in field positions, with a 17 times rise from 1997 to this date.

207. The number of female colonel and brigadier general are at an ascent, as shown in the following table.

Table 2 - Proportion of Women among high-ranking Officers, 2000, 2003 and 2004

Rank	% of Women – 2000	% of Women – 2003	% of Women – 2004
Colonel	3%	4%	4.5%
Brigadier General	1%	3%	4%

Source: IDF Chief of Staff Advisor on Women Issues

Distribution of Men and Women

208. Over the last decade, the tendency towards opening further positions to women in the IDF has continued, leading to a growing number of female soldiers assigned to "quality" jobs and a smaller number to clerical positions.

209. As of 2004, 81% of all positions in the military are open to women, compared to 56% two decades ago. Women are placed in 62% of the positions (compared to 40% in 1990) and efforts are made towards enlarging these percentages. It is important to emphasize that this process requires exploring all physical aspects of the additional positions, including the adaptation of the relevant equipment, preparation of the staff and additional activities.

Women Scientists and Engineers in the IDF

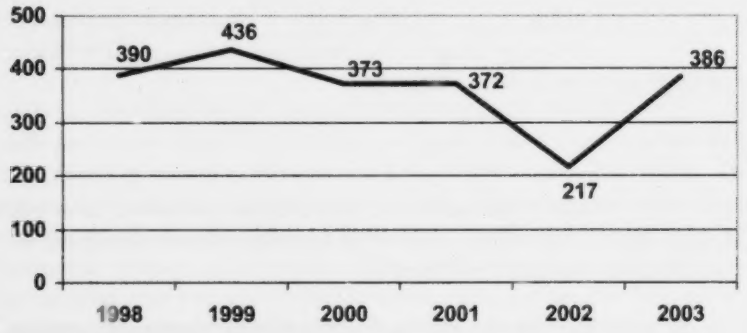
210. As detailed in our previous report, the IDF initiated several programs intended to promote female scientists and engineers among its ranks and support them in their careers. These programs include the "Rakia" program, targeting 12th graders, interested in studying for a practical engineer degree, with the IDF funding – the number of participants has tripled from 80 in 2001 to 240 in 2003; "Tzabar" – a pre-academic one-year preparatory course aimed at assisting young women interested in studying engineering and exact sciences in the course of the academic reserve; "Technological Horizons" – a unique course for 12th graders majoring in mathematics and physics, intended to assist them in continuing to study for a practical engineering degree.

211. Women also participate in the "Atidim" Project for integrating youth from the periphery in the academic reserve (25% women in 2003); "Talpiyot" Project targeting soldiers to become part of the IDF research and development program through a comprehensive training program (11% women in 2003).

Sexual Harassment in the Military

212. The next chart details the number of annual complaints of sexual harassment in the military, showing a significant increase in 2003, attributed mainly to growing awareness and to a number of high-profile cases.

Chart 4 - Number of Sexual Harassment Complaints, Various Years



Source: IDF Chief of Stuff Advisor on Women Issues

213. The IDF has taken several measures aimed at dealing with the phenomenon of sexual harassment in the military, including the establishment of a General Staff Steering Team headed by the Advisor on Women Issues, forming the IDF policies on prevention, enforcement and treatment of sexual harassment.

214. In 2002, the Chief of Staff Advisor on Women Issues initiated a wide range survey on sexual harassment in the military, as well as an extensive study of the phenomenon itself. The study has led the IDF authorities to the conclusion that they are informed of a fragment of all sexual harassment incidents, and that combating the problem requires a deep normative and educational change in all levels.

215. As a result of this survey, the IDF has expanded and improved its treatment of sexual harassment issues, including the following measures: On July 2003, the Chief of Staff issued a special notice to all members of the IDF emphasizing the importance of fighting against sexual harassment, with the commanders in charge having responsibility to do so; the IDF added trained personnel on all levels equipped to handle these complaints; an extensive publicity campaign was initiated throughout the IDF along with an obligatory annual lecture; special training courses were held for those taking care of the complainants and the Military Police Investigators; and pamphlets on sexual harassment were distributed to all new recruits and throughout the military units.

Women in the Police

The Legal Framework

216. The Police strive towards raising the number of women in the police force, via affirmative action measures like more flexible working conditions for mothers and lenient policies for pregnant women.

Women in the Police – Field Data

217. Currently, women constitute 21% of the general police force, a moderate decrease since our previous report (23%). Women officers comprise a higher percentage than their representation in the police force, with 23.4% of the police officers being female.

218. As of March 2005, there were 53 Arab women in the police force – 1 Samaritan, 19 Christians, 12 Muslims, 14 others and 7 of unknown religion.

Table 3 - Percentage of Women in the Police Force, 2004

	Women		Men		Total	
	Number	% of the Women	Number	% of the Men	Number	%
Non-Officers	3,362	74.88%	13,361	78.39%	16,723	77.66%
Officers	1,128	25.12%	3,684	21.16%	4,812	22.34%
Total	4,490	100%	17,045	100%	21,535	100%

Source: Israel Police, 2004

219. Women are slightly under-represented in the higher ranks of the police force, with 17.6% of the higher ranks, to their 21% in the overall police force.

Sexual Harassment within the Police

220. The police have taken several measures to combat sexual harassment. Sexual harassment directives were prepared and distributed throughout the police force, a special sexual harassment overseer was appointed and reports on sexual harassment within the police and cases of inappropriate treatment due to harassment are published. A further informative pamphlet was prepared and will be circulated to every police officer, as well as to new recruits.

221. In the 18 months between January 2003 and June 2004, 38 sexual harassment cases were handled through criminal charges by the Department of Police Officer's Investigation in the Ministry of Justice. In the same period, 22 cases regarding sexual harassment were referred to the police disciplinary department, from the Department of Police Investigation, following the conclusion of the criminal proceedings.

Women's Organizations

222. Women's organizations continue to play an active and valuable role in the promotion of gender equality in Israel. These organizations remain dynamic and representative of women of all sectors, enabling a lively civil society.

223. Women's Organizations have a substantial impact on many areas of life in Israel, some of their major fields of operation are: promoting legislation, as detailed regarding the Sexual Assault Help Centers, in Article 5 above; assisting women in legal representation and counseling; leading information campaigns on women's rights; organizing conferences and seminars; managing sexual assault help centers and hotlines; and more.

Article 8 - International Representation and Participation

Women's Representation in the Foreign Service

224. Israel's Foreign Service is routinely working at increasing the number of women amongst its ranks.

225. The percentage of women taking the exams for the cadet course (30%-45%) is similar to the percentage of women admitted to the course (30%-48%). Note that for the most part, all cadets who attend the course – complete it.

226. The Ministry of Foreign Affairs and the diplomatic missions are composed of an administrative wing, a non-administrative wing and a diplomatic wing. The rate of

women within the administrative and the non-administrative wings is higher than the rate of men (50.5% and 63%, compared to 49.5% and 37%, in 2003).

227. The following table further details the percentage of women within the diplomatic wing of the Foreign Service, by ranks:

Table 4 - Representation of Women in the Foreign Service - Diplomatic Wing, 2002-2003

	2002		2003	
	Women	**Men**	**Women**	**Men**
Ambassador	0 (0%)	27 (100%)	1 (0.5%)	21 (95.5%)
Delegate	13 (14%)	81 (86%)	13 (15%)	74 (85%)
Delegate – Advisor	23 (22%)	80 (78%)	22 (21%)	83 (79%)
Advisor	14 (15%)	79 (85%)	20 (20.5%)	78 (79.5%)
First Secretary	26 (33%)	54 (67%)	16 (30%)	37 (70%)
Second Secretary	7 (70%)	3 (30%)	13 (48%)	14 (52%)

Source: Ministry of Foreign Affairs, 2004

228. Of the promotions in rank and level in the Foreign Service since our previous report (2002-2003), 38% (69) were women.

229. It should be noted that Israel's Women's Network petitioned the High Court of Justice for the revocation of six recent nominations in the Ministry of Foreign Affairs (*H.C.J. 5523/04 Israel's women's Network V. the State of Israel and the Minister of Foreign Affairs et al* (29.07.04)). The network claimed that the nominations discriminated against female candidates and that the Ministry failed to elect women candidates despite their equal and sometimes better qualifications. The Network claimed that the nominations were not in accordance with the *Equal Rights for Women Law* and the *Civil Service Law*. The petition was withdrawn by the petitioner, after the ministry entered an affidavit, committing to take minutes of the nominations committee's hearings and instruct the committee members to act according to the rules of affirmative action, and an internal procedure in that fashion was issued in the ministry.

Women Representatives and independent experts in International Organizations

230. Israel includes women in most of its delegations to multilateral forums, as well as a 5-6 women delegation to the Commission on the Status of Women.

231. Currently, Israel's delegation to the UN headquarters in New York consists of 4 men and one woman, and a woman has joined Israel's delegation to Geneva as of August 2004, consisting now of 2 women and four men. Ms. Ziva Patir, general manager of the

Standards Institute of the Israel, serves as vice president of the international Standardization Organization, located in Geneva, as of September 2003

232. Several additional examples include Dr. Ruth Halperin, chairperson of the counseling committee to the Authority for the Advancement of the Status of Women, that served on the panel of the UNECE in Geneva, towards "Beijing 10+"; Ms. Valerie Brechia heading the Israeli delegation to the UNEP annual conference in March 2004; Dr. Michal Haran, the Ministry of the Environment Director General and a female attorney from the Knesset representing Israel in the CSD Conference in April 2004; Dr. Ilana Zieler, representing the Ministry of Health in the state task force on sustainable development in the European Economical Council (ECE) on February 2004.

233. The Authority for the Advancement of the Status of Women sends a yearly delegation to the Women's U.N. Conference. The last delegation was composed of 13 women and two men and the Authority also funded the Israel's Women Network NGO delegates.

234. The Ministry of Foreign Affairs encourages and assists women Israeli NGOs to apply for status in the United Nations and in fundraising both in Israel and abroad.

Article 9 - Nationality

235. Israeli citizenship and residency laws do not differentiate between men and women. Both have equal rights regarding acquisition, changing or retaining their nationality or residency. Neither the change of nationality by one spouse nor marriage to a non-citizen has any effect on one's citizenship. Either parent's citizenship carries equal weight relating to children's citizenship acquired at birth.

Article 10 - Education

Legal Developments

236. The major legal development in this area was the enactment of the *Sexual Harassment Law* (Amendment no. 2 from 2004). This amendment applied the law to 13th and 14th grade pupils, who are not minors, where the educator abuses his or her authoritative position. The law also applies to pupils and students in institutions granting general or vocational schooling to adults where the educator abuses his authoritative position.

High Schools in Israel

General and Technological/Vocational Tracks

237. The Israeli secondary education system is composed of both technological/vocational and general public high schools. Most of the female pupils study in the general public

schools. In 2002, 68.5% of the female pupils aged 15 and over studied in the general track, while only 56% of the male-pupils aged 15 and over studied in this track. In 2003-2004, both in the Hebrew and the Arab education, most of the pupils studied in general public high schools.

Matriculation Levels

238. In 2002, 84.3% of the female-minors within the 12th grade age group (in the Hebrew education) took matriculation exams, compared with only 75.1% of the male-minors. Female-minors' entitlement to a matriculation degree was also higher and stood at 63%, compared with 49.5% of the male-minors.

239. Among the Arab education system, 91.7% of the female-minors within the 12th grade age group took the matriculation exams, compared to 84% of the male-minors. Female-minors' entitlement to a matriculation degree also was higher in this sector than male-minors (56.3% and 44.7%, respectively).

Table 5 – Examinees and entitlement to matriculation certificates – 2002

	Examinees		Entitled to a Certificate	
	Total	% of pupils in grade XII	Total	% of pupils in grade XII
Hebrew Education				
Male-minors	30,869	75.1	20,326	49.5
Female-minors	35,176	84.3	26,305	63
Arab Education				
Male-minors	5,373	84	2,858	44.7
Female-minors	7,270	91.7	4,464	56.3

Source: Central Bureau of Statistics, 2004

240. The percentage of female-minors taking matriculation exams in science is 45%: electronics 12%, biology 66%, chemistry 62%, computers 43% and physics 30%. The percentage of those successfully completing the exams is equally high with the ratio higher among female-minors than male-minors (57% to 33%).

Education Rates, Attendance Rates and Drop-Out Rates

241. As stated in our previous report, education levels in Israel maintained a moderate increase in all population groups. In 1961, 69% of the women minority group never attended school, compared to 30% of the male minority group. In 2003, the numbers were 9.9% and 2.4%, respectively.

242. Another important indicator of school performance is the rate of attendance. In 2003-2004, the dropout rates of female-minors in the 9th to 11th grades stood around 3.1%-

3.6% and in the 12th grade the rate of dropout was just 0.7%. The dropout rates of male-minors were higher, especially in the 11th grade. Among the Arab education system, the gap between the genders was also in favor of the male-minors, although the dropout rates of Arab female-minors exceeded those of Jewish female-minors.

243. The Department for Regular Attendance and the Prevention of Dropouts in the Ministry of Education, Culture and Sport has been active on all levels to raise the percentage of attendance and prevent dropouts in all sectors. They have operated on three major levels – raising awareness to the issue, managerial/organizational measures throughout the system and pedagogical actions. Between the years 2002 and 2003, the dropout rate was reduced to 6% in the Jewish sector and 10% in the Arab sector.

Activities and Educational Programs to Prevent Discrimination against Women

Gender Stereotypes within School Books

244. As detailed in our previous report, The Department for Planning and Development of Curriculums in the Ministry of Education, Culture and Sport has been active in establishing criteria for schoolbooks, specifically within the realm of gender stereotypes. These criteria were integrated into the curriculum by a special committee appointed in 2001 by the current Minister of Education, Culture and Sport.

245. The Committee examined gender stereotypes in schoolbooks used by the Israeli education system, and endeavored to end all stereotyping in the curriculum. The Committee adjusted the previous criteria, on a qualitative and quantitative level, addressing the following issues regarding equal representation for both genders: expanding the material with illustrations to include women's contributions in all areas of life; drawing attention to pre-existing stereotypes; refraining from gender stereotypes of all kinds (both direct or implied); assigning tasks on a gender-neutral basis; selecting works, essays and papers equally representative of both genders; assigning children to courses and classes regardless of their gender; omitting gender-stereotypical drawing and illustration from schoolbooks.

Other Instructions and Intervention Programs that Aim to Prevent Discrimination against Women

246. The Ministry's Director General issued a circular in 2003 (9.4-4(d) 4/2003) regarding equal opportunities in the Education system for both genders, specifically targeting educational/social/tutorial intervention in gender issues. This circular emphasizes the institute's educational policy, and the teaching process.

247. The Ministry aims at implementing this circular via conferences and seminars for principals and supervisors, as well as targeted training to instructors on all levels. School seminars and assimilation of gender equality in the Ministry's various departments shall be another avenue of implementation.

248. The Ministry also maintains its support for the *"Girls Leading a Change"* program, along with the Israel Women's Network. The goal is to work towards empowerment and leadership building, as well as advance knowledge regarding inequality issues between the genders, develop self awareness, and change positions on gender equality.

249. Another program relates to advancing female-minors in exact sciences and mathematics, encouraging female-minors to choose these topics for their matriculation, and later in higher education. *"Femininity and Masculinity – the Next Generation"* program is aimed at changing management and leadership patterns from purely masculine attitudes. to a combination of masculine and feminine ones.

Sex and Family Life Education

250. The current curriculum for pupils in their high school years includes sex and family life education. The program's main topics are: individual development at the person's own paste, uniqueness, acceptance of the other even when different, male-minors and female-minors being equal yet different, developmentally adapted sexual urges, consensual contact with others, and mutual decisions in a relationship. The curriculum focuses on exposing gender stereotypes, changing positions, developing unique abilities, and providing knowledge. The curriculum includes a program titled "Non-Violent Friendship and Couplehood", targeting the differences between respectful and equal relations as opposed to abusive or one-sided ones, the difference between courtship and offence, and the do's and don'ts in relationships.

251. The curriculum has been adapted to the state-religious and the Arab education systems. The curriculum is identical for female-minors and male-minors, yet some schools conduct the lessons separately.

Teachers

252. In 2003-2004, the rate of Jewish men in teachers training colleges, stood at 18.3%, compared to 18.8% in 2002-2003. The rate of Arab men in teachers training colleges was 8.2%, compared to 7.6% in 2002-2003.

Table 6 - Teachers Training Colleges, Various Years

	1969/70	1979/80	1989/90	1994/95	1999/00	2001/02	2002/03	2003/04
Hebrew Education								
% of Men	13.9	10.3	16.6	16.3	16.6	17.8	18.8	18.3
Arab Education								
% of Men	46.9	45.2	22.9	16.2	7.8	8.8	7.6	8.2

Source: Central Bureau of Statistics, 2004

Higher Education

Female Students

253. The rate of women with a matriculation certificate or a higher diploma (62%) is higher than that of men (55%) among the general population. 55% of the women and 50% of the men who concluded their high school studies in the year 1994, enrolled in academic education program within 8 years.

254. In 2003, women still constituted a majority among the first (55.9%), second (57.1%) and third (52.7%) degree students. There are no dramatic changes in the percentages when compared to previous figures. However, women continue to cluster in the humanities and are less likely to enter fields such as mathematics, sciences, and engineering, where they comprise only 25% of the students. Women comprise a majority in other fields such as humanities (66.4%), social studies (61.3%) medicine (52.3%), law (49.9%) and life sciences.

Table 7 - Students in the Higher Education System, by Gender and Degree, 2002-2003

Degree	Total Students	Women	% of Women
Humanities	27,679	18,397	66.4%
Education and Teacher Training	27,862	23,156	83.1%
Social Sciences	45,719	28,026	61.3%
Business and Management	8,268	4,058	49.0%
Law	12,897	6,446	49.9%
Medicine	3,568	1,867	52.3%
Para – Medicine	7,316	5,800	79.2%
Mathematics, Statistic and Computers	12,323	3,864	31.3%
Physical Sciences	4,559	1,690	37.0%
Biological Sciences	7,703	4,750	61.6%
Agriculture	1,499	876	58.4%
Engineering and Architecture	30,129	7,626	25.3%
Total	189,522	106,555	56.2%

Source: Council for Higher Education, 2004

255. Aside from the state universities, a number of alternative higher education institutions exist which grant non-degree diplomas. In the academic year 2002-2003, 6.4% of Jewish women, aged 20-29, attended non-university higher education institutions, compared to 5.6% in 1999-2000. The rate of Arab women attending these institutions was 4.4% (compared to 4.6% in 1999-2000).

Minorities in Higher Education

256. The gaps between men and women in higher education have been eradicated, and in the 2002-03 school year, Muslim, Christian and the Druze female students were a majority among first-degree students in the universities, in comparison to their male counterparts. The same can be said for the general student population, with the exception of the Druze sector where the gap is rapidly closing. Indeed, certain gaps still remain in higher degrees, but there too, the figures show a significant rise in the percentage of female students among these sectors.

257. The Ministry of Education, Culture and Sport has recently granted 18 Bedouin students full scholarships in order to pursue higher studies at the Ben-Gurion University in Beer-Sheva during the academic year 2004/5. The scholarships were granted on the basis of academic excellence and financial situation. Among the 18 students' recipients of the scholarship, 12 were women. Additional scholarships are granted by various NGOs.

Table 8 - Women by Population Group and Religion and Degree, 2002-2003

Percent of Women of Total Students in Each Cell (Universities only)

	Total	First Degree	Second Degree	Third Degree	Diploma
Total	56.5	56.2	57.2	52.7	82.2
Jews	56.8	55.9	58.1	54.3	84.9
Muslim	51.9	54.6	42.3	23.9	64.5
Christian	62.7	63.9	58.4	34.5	-
Druze	49.8	53.3	33.7	-	-

Source: Council for Higher Education, 2004

Women on the Academic Staff

258. In 2001, 24% of the senior academic staff financed by the Council for Higher Education were women, a rise from 20% in 1992/93. Between the years 1993-2003, 360 staff members were promoted to full professor, a position granting not only higher income, but also influential status within academia. Only 78 (about 20%) of those nominated were women. Thus far, no woman has served as president of a university and only two have served as rectors.

259. In 1988, a NGO, The Women's Lobby, approached the heads of Universities Board with an initiative to appoint Women Issue Advisors to the presidents of the all universities. Such advisors are now residing in all state universities. In April 2003, a similar initiative was brought before the heads of the academic colleges.

Table 9 - Women in the Academic Staff of Higher Education Institutions in Israel, 2001- 2002

	Institutions and courses	Women	Men	Total	Women % out of Total
Total Institutions	50	1,762.9	4,442.3	6,205.3	28.4
Universities	7	1,139.7	3,498.2	4,637.8	24.6
The Open University	1	20.5	33.1	53.6	38.3
Non Universities (funded by the Council for higher Education Planning and budgeting Committee)	21	229.5	663.4	893.0	25.7
Teachers training colleges	21	373.2	247.7	620.9	60.1

Source: Ministry of Science and Technology, December 2003

260. Although there are more women than men in all levels of higher education, they comprise only 24% of the academic staff, with lower numbers in engineering, exact sciences and technological studies. For example, in Engineering, women are 25% of the students and 12% of the staff, and in Physics, they comprise 36% of the students and 8% of the staff. The situation is similar in alternative institutions, where women make up only 25% of the senior academic staff.

261. Women's under-representation in academic staff, especially in senior ranks, has continued to draw attention since the submission of our previous report. The Knesset Committee on the Status of Women is dedicated to improving women's representation in the academic staff of institutes of higher education, and held a number of sessions on this matter.

Women and Gender Studies

262. Over the last few years, most of the universities and several other higher education institutes opened women and gender studies departments, aimed at exploring a range of topics regarding women and femininity. Women and gender studies are crucial for learning about women's position in society, discrimination against them and measures to be taken against discrimination.

Science and Technology Education for Women

Initiatives aimed at encouraging Female-Minors to enter the fields of Science and Technology

263. Initiatives aimed at encouraging female-minors to enter the fields of science and technology have continued. Some of the programs are:

264. The *"Female Scientists Club"*, targeting 6th grade female-minors with interest and knowledge in science and technology, encouraging them to carry on in these fields; The Tel Aviv University *"Science Cadet Unit"* is taking affirmative action measures to raise the percentage of female attendance in their activities; *"The Future Generation of Hi-Tech"* program, detailed in our previous report, continues to create partnerships (currently 100 schools participate in the program, compared to 23 as of 2001) between industries and junior high schools throughout the country, exposing 35,000 students to this program in the 2002-3 school year alone; *"ORT to 21"*, a program that encourages female students to choose and succeed at advanced technological and exact studies in high schools and higher education, with 7,400 female students participants in 23 junior high schools over the 2002-3 school year attaining excellent results; a Technion – Israel Institute of Technology program that includes community social work, promoting female pupils in science and engineering and tutoring female students in the 10th and 11th grades.

Initiatives to encourage women to study Science and Technology

265. The Ministry of Science and Technology continues its special scholarship program in which undergraduate students in engineering and exact sciences can receive a yearly stipend of 8 to 10 thousands NIS (about $2,000), in return for 100 hours of service in the National Council for the Promotion of Women in Science and Technology programs, aimed at promoting women in science. In the years 2000-3, the Ministry which granted 122 scholarships to female students in faculties where there is a low percentage of female students.

266. Further programs include the *"Rakia"* program, targeting 12th grade female-minors interested in studying for an engineer degree through the Israel Defence Forces; "*Tal*" Religious Institute offers special programs intended for religious women seeking higher education in engineering, combined with special preparation for religious women in a male-dominated work environment; The Academic College for Technology Teachers – "Ort Tel Aviv", qualifying teachers in the fields of electricity/electronics, computer sciences, science and technology, charges female students with half of the regular tuition fees.

267. A survey initiated by the Ministry of Science and Technology in February 2003, examining basic approaches towards women in science, indicated that most of the public

(85%) has positive views towards women in science and their ability to integrate in scientific and technological studies and research. It is notable that 60% believe that women have made scientific and technological achievements that brought pride to Israel, while nearly 60% believe that women are more suitable then men to specific scientific fields such as medicine, computers, and agriculture.

Physical Education and Sports

Legal Developments

268. Section 9A to the *Sports Law* was adopted at the end of 2003, concluding that all state supported sports organizations, including sports associations, bodies, unions and federations, shall provide appropriate representation to women. This appropriate representation concerns both staff and management, and shall include all categories of positions. Under section 9B, sports organizations shall submit annual reports to the Knesset Committee on implementation of this section. This amendment stems from the realization that as in many other areas of life, promoting women's role in sports requires their full involvement, not only in sporting activities themselves, but also as decision makers and in managerial roles.

269. In an innovative High Court decision (*H.C.J. 5325/01*) filed by the Association for the Advancement of Women in Basketball against the Ramat HaSharon Local Council and others, the Court examined the issue of allocation of funds to sports institutions. The Court examined the issue of fund allocation to sports institutions. The Court based its ruling on section 3A of the *Budgetary Principles Law*, which establishes the criteria of equality for budget allocations to public institutions. The Court here applied the allocation criteria, adopted by the Ministry of Culture, Science and Sport, which sanctions affirmative action and grants women sports activities with 1.5 times the budget allocated to male sports activities. The Court ruled that the need for equality also concerns local authorities and their allocation of funds. The Court held that the Ramat HaSharon Council, the Head of the Council, and the Ramat HaSharon Center for Education and Sports are to allocate funds according to the above criteria.

270. In another case, in September 2004, several women football teams from the Super League petitioned the High Court of Justice (*H.C.J. 8472/04 Women Football Team-Ha'poel Be'er Sheva et al v. Council for Sports' Gambling Arrangement et al*). The petitioners asked the Court to order the Council for Sports' Gambling Arrangement to apply affirmative action to women football teams and grant them a higher percentage of funding than the one granted to men's teams. The petitioners demanded that the Council provide them with a better financial support than men's team, implementing special measures concerning women' teams. The petition is still pending before the Court.

Governmental Machineries for the Promotion of Women in Sports

271. As of 2000, the Sports Authority in the Ministry of Education, Culture and Sport amended the criteria for funding sports associations, allotting 1.5 times more budget to women's sports associations.

272. A public committee, the "Katz Committee", was mandated to examine the criteria of the Council for Arranging Gambling in Sports and recommended affirmative action plans aimed at women and female-minors sports teams.

273. The authority has recently completed a pamphlet, to be distributed among coaches, athletes, schools, colleges and parents. This pamphlet establishes a Code of Ethics aimed at preventing harassment and sexual violence in sports. This important campaign is supplemented by seminars conveyed by the Association for the Advancement of Sports.

274. The Authority also plans to run a national program for the advancement of women in sports in the year 2005. This program will include an 80 Million NIS budget for the next 8 years; raising women's awareness to sports through national campaigns in the written and broadcasted media; preferential treatment to women in ten competitive sports, allocating the relevant unions with special allocation, provided they withstand basic conditions concerning women's participation in these fields.

Female-Minors Sports in the School System

275. Pupils' participation in physical education classes is mandatory in the Israeli school system. The education system's core program stipulates that every pupil in all state-supervised schools must attend two weekly hours of physical education. The non-directly supervised schools must provide pupils with one weekly hour of physical education.

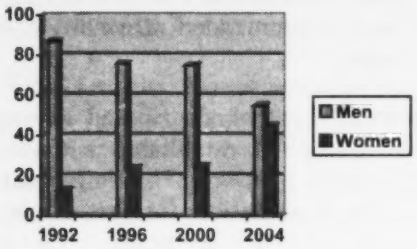
276. As detailed in our previous report, the Sports Association for Schools desires to set a goal of increasing the number of female pupils involved in competitive sports. Current data shows that the number of female-minors and male-minors defined as active athletes (meaning participation in 18 games in group sports and participation in 3-4 recognized competitions in personal sports) is almost equal (9,641 female-minors to 9,710 male-minors) in all areas of sports.

277. Under the Ministry of Education, Culture and Sport directives, the physical education supervisors (one third of whom are women, 5 out of 15) authorizes pupil's delegation to the International School Sport Federation (ISF) competitions provided there is an equal number of female-minors and male-minors.

Current Data – Women in Sports

278. Women's participation in the Olympic Games has dramatically increased over the past few years, as indicated by the chart below:

Chart 5 - Athletes in the Olympic Games, 1992, 1996, 2000, 2004



Source: Ministry of Education, Culture and Sport, 2004

279. The overall percentage of women active in the field of competitive sports has been at a moderate ascent over the last decade, from 12% in 1994 to 15% in 2004.

280. Female representation in the management of sports associations remains at a low level of around 10%, similar to the rate of women coaches.

Article 11 - Employment

Legal Protection from Discrimination within the Workplace

281. In June 2004, Amendment no. 9 to the *Equal Employment Opportunities Law*, added pregnancy as one of the grounds upon which a person cannot be discriminated against in the workforce, both as a job applicant and as an employee.

282. In 2001, the Minister of Labor and Welfare issued the *Employment of Women* Regulations *(Prohibited Work, Restricted Work and Hazardous Work), 5761-2001* ("*Employment of Women Regulations (Prohibited Work, Restricted Work and Hazardous Work)*"), expanding the *Employment of Women Regulations (Prohibited Work and Restricted Work)*, 1979 designed to further protect fertile and pregnant women from exposure to chemical and biological materials which may harm a fetus or a baby.

283. Israel has been a party to the following International Labor Organization conventions regarding equality and prohibition of gender discrimination: C100 Equal Remuneration Convention, 1951 (since 1965) and the *C111 Discrimination (Employment and Occupation) Convention, 1958* (since 1959).

284. Several recent rulings of Labor Courts have further reinforced the protection granted by law to women in the workforce. In November 2003, the Labor Court in Be'er Sheva ruled in favor of a female employee who received a lower salary than her male counterparts (La. 1576/99 *Simmy Niddam V. Rally Electricity and Electronics Ltd.* (03.11.03)). The court granted the plaintiff all social benefits along with compensation for grief caused to her in the sum of 30,000 NIS (appx. 6,500 $). The Tel-Aviv Jaffa Labor Court convicted a company that fired a temporary employee who was pregnant, two days before she completed a 6- month employment trial period. The Ministry of Industry, Trade and Labor indicted the company on grounds of discrimination (pregnancy, parenthood and gender) based on the *Equal Employment Opportunities Law*. The Court convicted the company and imposed a fine of 80,000 NIS, as part of a plea bargain. (Cr.C. 100/04 *the State of Israel / the Ministry of Industry, Trade and Labor v. S.I.R.N Ltd. et al* (, 15.12.04).

285. In a January 2004 decision, the Tel Aviv Labor Court ruled in favor of a female plaintiff who received a lower salary than her male colleagues, granting her the difference between the salaries along with additional compensation based on the infringement of the *Equal Employment Opportunities Law* (L.A. 300880/98 *Orit Goren V. Home Centers Int.* (04.01.04)).

Pregnancy and Maternity Leave

286. See discussion under Article 13, below.

Parenthood

287. In a 2002 amendment, the legislator extended the single parent privilege under the *Sick Pay Law (Absence from Work due to a Child's Sickness), 5753-1993* ("*Sick Pay Law (Absence from Work due to a Child's Sickness)*"), granting a 12-day leave to tend to a sick child (compared to the standard 8 days).

Affirmative Action in Employment

288. See discussion under Article 4, above.

Social Security Benefits

289. See discussion under Article 13, below.

Employment of Women - Data and Analysis

Women Participation in the Workforce

290. In 2003, the Israeli civil workforce totaled 1.4 million men and 1.2 million women. Compared to 2002, the workforce grew by 24,000 men and 39,300 women, ergo women accounted for roughly 60% of the increase.

291. In 2003, women's proportion of the labor force increased to 49.1%, compared to 48.2% in 2001 and 46.3% in 1998. Men's proportion decreased to 60.1%, from 60.7% in 2001 and 61.2% in 1998.

292. In 2003, 27% of the women in the labor force had 16 years or more of schooling, compared to 23% of the men. The level of education is a conclusive factor in female participation rates in the labor force and the rates escalate as the level of education rises. The general education level of women in the labor force is higher than that of men.

Work Patterns

293. In 2003, 87.4% of men and 62.6% of women worked full-time. Most of the usually part-time employed persons in the labor market were women (401,400 women compared to 159,500 men). 14.1% of the women stated that the motivation for part-time employment was care for their children and/or household.

294. As detailed in our previous report, temporary absence from work is higher for women when compared to men. In 2003, 15,900 women were absent due to maternity leave. In the same period, the number of absent men due to army reserve duty was 4,800.

295. In 2003, 1,072,600 women were employed (compared to 1,257,600 men), 978,000 were salaried employees. 984,600 of the employed persons were Jewish women, 895,800 of them were salaried employees. At the same time, most of the employed men (81.9%) were salaried employees and 8.8% were self-employed. 91.2% of the employed women were salaried employees and only 4.6% were self-employed. In 2002, 17,000 men and 20,000 women received their wages from manpower contractors, compared to 22,000 and 26,000 respectively, in 2001.

Unemployment

296. There are two main trends concerning the local "Unemployment Market". The first is the increase in unemployment, and the second is the derogation in the rights of unemployed persons (defined as persons who did not work for pay for one hour during the week of the survey, and who were actively seeking work). In addition, men's decreasing participation in the Israeli labor force has aggravated in 2002-2003 and reflects the despair of those searching for employment. In contrast, women's

participation in the labor force has increased, apparently due to the decrease in household incomes and the need to add a second income to the household.

297. In 2003, 219,805 employment seekers applied to the Employment Service Labor Bureaus (monthly average). 114,321 were women (compared to 91,920 women in 2001) and the remaining 105,484 were men.

298. The percentage of unemployed women was 10.6%. In 2003, the percentage of unemployed males of the labor force was 10.2 % (compared to 8.4% in 2000). In 2003, the percentage of unemployed women was 11.3%, compared to 9.2% in 2000. In 2003, most of the women (83.9%) were seeking employment through newspaper advertisements, while most of the men (82.5%) were assisted by friends. It is worth noting that 5.5% of the men were trying to establish a private business at the time, compared to only 2.8% of the women. 72.5% of the women sought full-time employment while the remaining 27.5% sought part-time employment (compared to 88.2% and 11.8% of men, respectively).

Careers of Women: Levels and Salaries

Women's Occupational Distribution and Gender Segregation

299. As detailed in our previous report, women maintain their cluster in "feminine professions", with the highest percentages of women employees in the education (20.8%) health services, welfare and social work (17.4%). However, women's soaring representation in the legal profession continued, as detailed in Article 7, above.

Table 10 - Employed persons by economic branch, 2003

	%Men of total employed	% Women of total employed
Agriculture	2.7	0.8
Manufacturing	22.1	9.8
Electricity and water supply	1.2	0.3
Construction	9.5	1
Wholesale and retail trade and repairs	14.8	12.1
Accommodation services and restaurants	4.3	3.7
Transport, storage and communications	8.8	4
Banking, insurance and finance	2.6	4.3
Business activities	13.7	11.9
Public administration	5.5	5.4
Education	5.6	20.8
Health, welfare and social work services	4.6	17.4
Community, social and personal services	4.3	5.7
Services for households by domestic personnel	0.3	2.9

Source: Central Bureau of Statistics, 2004

Salary and Earning Gaps

300. There are still gaps between male and female salaries. According to recent data, in average, men earn a 63% higher income than women.

301. One explanation for this gap is shorter working hours (or lower availability for work) for women - (In 2002, employed men worked an average of 42 hours a week, compared to employed women, who worked 31 hours a week - a 35% difference). Yet, in 2002, women's average income per hour was 36.7 NIS and men's – 45.3 NIS, a 23% gap, indicating that the difference cannot be solely attributed to the number of working hours.

302. In the Arab sector women employees earned 7% more than men. This can be explained by the fact that 47% of the Arab women are employed in academic and technical professions, while 64% of the Arab men were skilled and unskilled workers in the construction and industry branches. The differences deepen as the age rises, although both genders' income climbs with age.

Table 11 - Employee monthly income and gross income per hour, by occupation – 2002

Occupation	Per month (NIS)		Per hour (NIS)		
	Men	Women	Men	Women	Difference (%)
Academic professionals	13,603	8,574	71	59	20
Associate professionals and technicians	9,134	5,717	52	44	18
Managers	18,054	11,213	81	63	30
Clerical workers	8,587	5,233	46	33	39
Sales persons and service providers	6,054	3,167	33	23	41
Skilled workers	6,148	3,757	31	22	46
Unskilled workers	4,236	2,694	25	21	20

Source: Central Bureau of Statistics, "Women and Men", February 2004

Women's Entrepreneurship

303. The number of men applying to the Center for Fostering Entrepreneurship in the Ministry of Industry, Trade and Labor is double the number of women applicants. Most of the applicants, men and women, are in the 25-34 and 35-44 age groups. 45% of the women-applicants have an academic degree while only 35% of the men-applicants have one. A majority of the applicants, both men and women, require assistance in launching a business – approximately 60%.

304. A 2001 survey indicates that 30.7% of the self-employed are women, compared to 69.3% men. Women entrepreneurs face inherent obstacles such as insufficient

administrative skills, difficulties in financing and low self-esteem. Consequently, several programs were developed by the Ministry of Industry, Trade and Labor through the Israel Small and Medium Size Enterprises Authority and in the Centers for Fostering Entrepreneurship for women of all sectors, including the Arab sector, new immigrants, and orthodox women. These programs include assistance in funding for small businesses, feminine empowerment courses, establishment of "women only" business clubs and other activities and special assistance for single mothers.

Vocational and Professional Training for Women

305. As mentioned in our previous report, the Division for Training and Development in the Ministry of Industry, Trade and Labor organizes vocational courses for all sections of the Israeli population. The Division takes specific measures to raise the number of women participants in these courses via the establishment of separate courses for women in the ultra orthodox and Arab sector, directing the Acceptance Committees to perform their role with the utmost equality, and support for female participants in all courses, especially those previously considered "masculine".

306. The following table depicts the distribution of men and women trainees within the various types of courses offered in the year 2003.

Table 12 - Participation in Vocational Training, by Subjects, 2003

Route	Participants Total	Women Participants	Women Percentage
Adult Training-Employment seekers	12,697	6,693	52.7%
Academic Retraining - Employment seekers	1,253	697	55.6%
Business Schools /Vocational Training	18,386	11,711	63.7%
Business Schools – Transportation	11,919	416	3.5%
Technicians – Practical Engineers	24,389	7,836	32.1%
Youth Training	12,895	2,524	19.6%
Total	81,539	29,877	36.6%

Source: Ministry of Industry, Trade and Labor, 2004

Child-care

307. Researches have found that the most important factor to women participation in the labor market is the availability of day-care centers that provide an educational framework to children. Alongside those centers, which are supervised by the Ministry of Industry, Trade and Labor, there are also private child-care centers as well as home care through nursemaids.

308. The Social Services Department in the Ministry of Social Affairs refers children to day-care centers due to dysfunctional family situations; these day care centers also care for working mothers' children. There are currently 1,600 day care centers and 2,300 family care centers, attended by 68,000 working mother's children and 14,000 "welfare referred" children.

309. In the Jewish sector, 63.2% of the mothers take advantage of day care centers. 9.4% of the women are supported by family members, friends or require no assistance and 27.4% remain at home. In the Arab sector, which in general is considered more traditional, 70.4% remain at home, 16.3% of the women turn to day care centers and 13.3% use other free of charge arrangements.

Enforcement of Employment Legislation

The Department of Supervision of Labor Laws in the Ministry of Industry, Trade and Labor

310. The Department of Supervision of Labor Laws of the Ministry of Industry, Trade and Labor supervises the enforcement of a number of labor laws, including the *Employment of Women Law*. Under this Law, in 2003 – 2004 (up to June 1st), 32 cases were forwarded to the legal department for the preparation indictments and 7 employers were indicted for breaching these laws. Two were convicted and fined and two other cases are still pending. Another two indictments concern discrimination of women in acceptance to work due to parenthood; in one case the employer was convicted and administered a 40,000 NIS fine, and the other case is still pending.

311. As stated in our previous report, applications concerning dismissals of pregnant women are rising steadily. According to the Department's figures, in 2003, it received 1,647 applications from employers and women regarding discharges from employment during pregnancy.

312. In the last few years, the Enforcement Division of the Ministry of Industry, Trade and Labor boosted its activities under the *Equal Employment Opportunities Law* and the *Prevention of Sexual Harassment Law*. In the years 2003-04 (until the end of June 2004), it investigated 55 complaints concerning alleged discrimination of women in their place of employment due to pregnancy, parenthood and gender. The Division conducted 477 investigations involving unlawful advertisement and levied 228 administrative fines. The Division also held 1,326 inspections of workplaces regarding the publication of the code of practice in accordance with the *Sexual Harassment Law*.

313. According to recent figures, 5.3% of the women who were employed during their last pregnancy, resigned from their jobs following the delivery. 2% of the women who were employed in the course of their recent pregnancy were dismissed subsequent to the delivery. This indicates a high percentage of adherence to the law. The majority of

women returned to the same or a comparable position of employment following maternity leave. 4.5% of the women were promoted and 6% were demoted.

The Department of Labor Law Enforcement

314. In 2003, 1,657 applications were received concerning dismissal of pregnant employees. In 44% of the cases, the Department granted permits for dismissal while 56% of the requests were either refused or the cases were closed, a significant reduction to the 54% approval rate in 2000. The main reasons for consenting to permissions were the closing of businesses, consensual dismissal, or termination of contract.

315. The decision to approve dismissal is an administrative one, subject to judicial supervision. Both parties can petition this decision to a Labor Court. However, generally, the courts do not intercede in the authority's considerations and do not reverse those decisions, provided the authority performed its function in good faith, and in a manner relevant to its capacity.

Women's Employment among the Arab Population

316. During the last two decades, there was an increase in Arab women's participation in the labor force, from 11% in 1980 to 14.8% in 2002. Arab women today constitute about 4% of all women in the civil labor force in Israel. In 2003, there were 263,500 Arabs employed in the labor force, 204,900 (77.7%) were men and 58,600 (22.3%) were women. 34,100 of the Arab population were listed as unemployed, 6,400 (18.7%) of them were women.

317. The highest level of labor force participation for both genders is in the 25-34 age group. In the Arab sector, the majority of men (81,200) in the labor force graduated after 11-12 years of schooling, compared to the majority of women (32,100), who graduated with 13 years or more of schooling.

Article 12 - Equality in Access to Health Care

General

318. Under the *State Health Insurance Law, 5754-1994* ("*State Health Insurance Law*"), every resident is entitled to comprehensive health care services. The services are to be provided in reasonable quality and within a reasonable time, and at a fair distance from one's place of residence. Among these services are personal preventive medicine, health education, medical diagnosis, ambulatory medical care, mental care, hospitalization, medical rehabilitation, medicine supply, medical devices and accessories, and first aid medicine.

319. Two major surveys were held since the submission of our previous report: The 2003-2004 National Health Report, performed by the I.C.D.C. – Israeli Center for Disease Control, a project initiated by the European Health Interview Surveys (EUROHIS). The survey was held among 8,000 persons over the age of 21, and the relevant chapter titled "Women Health" polled 2,711 women – 2,160 Jewish women and 551 Arab women. The topics explored include: 1. The use of gynecology services. 2. The use of sex hormones. 3. Fertility and reproduction. 4. Health behavioral patterns. 5. Body mass. 6. Health and sickness situations. Also, a 2002 survey regarding subjective health conditions indicates that 39% of Israeli women defined their health as "very good", a lower percent than that of men (45%). An equal third of men and women replied positively to an enquiry regarding the existence of a health or physical problem lasting for over 6 months. Of those with a health problem, 72% of the women and 64% of the men claimed that it disturbed their every-day functions.

Special Health Services for Women

Pre/Post Natal Services: Delivery Rooms and Maternity Wards

320. In 2002-2003, there were 0.100 beds in gynecology wards per 1,000 residents, compared to 0.103 in 2001. Bed occupancy increased from 93.1% in 2001 to 94.8% in 2003. In 2003, the number of beds in maternity wards decreased to 0.198 per 1,000 residents (from 0.203 in 2001-2002) and bed occupancy increased from 109.2% in 2001 to 113.5% in 2003.

Table 13 - Beds in Hospitals and Bed Occupancy, By Type of Bed, 2001-2003

Type of Bed	Bed (Rates per 1,000 Residents)			Bed Occupany (Percentages)		
	2001	2002	2003	2001	2002	2003
Gynecology	0.103	0.100	0.100	93.1	93	94.8
Obstetrics	0.203	0.203	0.198	109.2	112.7	113.5

Source: Central Bureau of Statistics, 2004

321. Israel has preventative health service treatment for pregnant women through mother and child care stations ("Tipat Halav") for a certain minimum fee. Women, whose financial state is weak, may be exempt from this fee, under certain conditions.

322. Most Israeli hospitals conduct routine opinion polls as to the levels of satisfaction among all wards, including maternity wards. These polls indicate high levels of satisfaction with the overall treatment given.

Women Health Centers

323. Women health centers have been established in several hospitals, offering the following wards and services: labor rooms, women and obstetrician wards, fertility treatments (including IVF), specializing genecology wards (colposcopy, oncology, adolescent medicine, premenopause, high-risk pregnancy, etc.). Most of the specific wards exist in all hospitals.

324. Women health centers are also active in the community towards empowerment of women to enable them to better utilize their health potential through a healthier schedule, routine examinations, etc.

Osteoporosis

325. According to professional estimates of the Ministry of Health, 40% of the women over 55 shall undergo at least one osteoporosis fracture. The Israeli Center for Disease Control, through a project initiated by the European Health Interview Surveys (EUROHIS) collected data which indicates that 15.8% of women aged 45-74 were diagnosed with osteoporosis, and 76.5% thereof were treated with drugs (a significant improvement to 50% in 1998). A DEXA bone density check up is provided to women over 50 every 2-5 years. The basic service basket includes about a dozen different drugs for the treatment of osteoporosis.

Family Planning

326. In 2003, 21,220 applications terminate pregnancies were submitted to the Commission for Pregnancy Terminations, 20,835 (98.1%) approvals were given and 20,069 (94.5%) actually occurred. As of 2002, the majority of applicants to the Commission are single women (previously – it was mostly married women). 15,030 were Jewish, 1,275 Muslim, and 679 were Christian women. In recent years, the main reason for pregnancy terminations was out of wedlock pregnancy .The following data refers to pregnancy terminations in hospitals.

Table 14 – Terminations of Pregnancy in Hospitals (Applications, Approvals and Actual Terminations)

	2000	2001	2002	2003
Applications	20,278	21,505	21,025	21,220
Approvals	19,880	21,198	20,684	20,835
Actual Terminations - Total	19,405	20,332	19,796	20,069
Reason for Approval:				
Women's age	2,010	2,211	2,168	2,119
Out of wedlock pregnancy	10,452	10,924	10,661	10,773
Malformed fetus	3,249	3,210	3,396	3,470
Danger to woman's life	3,694	3,987	3,571	3,707

Source: Central Bureau of Statistics, 2004

Fertility Rates, Treatments and Services

Birth Rates and Fertility Rates

327. Since the beginning of the 1990's, the level of fertility in Israel remained constant with an average of 2.9 births per woman, a sharp decline from the 3.9 average in the 1960's.

328. In 2003, the rate of fertility among the total population was 2.95 births per woman. For Jewish women the rate was 2.73, for Muslims 4.50, for Christians 2.31 and for Druze 2.85.

Table 15 - Fertility Rates by Religion, 2001-2003

	2001	2002	2003
Total Fertility			
Total Population	2.89	2.89	2.95
Jews	2.59	2.64	2.73
Moslems	4.71	4.58	4.50
Christians	2.46	2.29	2.31
Druze	3.02	2.77	2.85

Source: Central Bureau of Statistics, 2004

329. Another noticeable trend is the ascent in the age of women bearing children, mostly due to the rise in the age of marriage. In the 1980's the average age of women giving birth was 27.4, in 2003 that age had risen to 28.8. Furthermore, the segment of women over 35 bearing a child went up from 9% in the 1980's to 16% in 2002-03, with a parallel decrease in the ratio of women under 20 giving birth, from 6% to 3% at 2002-03. Due to the relatively low number of cohabitation and traditional nature of the society, there is a limited number of out of wedlock childbearing, being approximately 3% of Jewish births.

Fertility Treatments and Services

330. As detailed in our previous report, fertility treatments in Israel remain highly developed and well subsidized. Each woman is entitled to IVF treatment until she gives birth to two children from her current relationship, regardless of children from previous marriages. This applies to unmarried women, as well as spouseless women. There are currently 24 In-Vitro fertilization (IVF) clinics in Israel. In 2002, 20,886 cycles of IVF treatment were performed, with some women receiving more than one cycle of treatment, resulting in 5,272 pregnancies and 3,734 live births (4,792 children).

Table 16 - In Vitro Fertilization in Israel, 2000-2002

	2000	2001	2002
Treatment cycles	18,011	20,512	20,886
Embryo transfer pregnancies	16,230	18,428	18,377
Deliveries resulting in live births	2,794	3,267	3,734

Source: Ministry of Health, 2004

Fertility Research

331. The following table details on-going research concerning fertility held throughout Israel during 2002-2003:

Table 17 - Fertility Research Projects, 2002-2003

Year	Total research proposals	Fertility research proposals		Fertility research proposals approved for funding		
		No. of proposals	% of proposals submitted	No. of proposals	% of proposals submitted	% of fertility proposals submitted
2002	350	14	4.0	4	1.2	28.6
2003	230	8	3.5	2	0.9	25.0

Source: Ministry of Health, 2004

Life Expectancy

332. In 2002, the average life span for Israeli women was 81.5 years and 77.5 for men. Elderly people (65+) comprise 10% of the population as of 2004 (only 3% among the Arab sector) and are expected to rise to 12% in the year 2020. In 2003, persons over 65 made up 11.2% of the female population, compared to 8.53% of the male population.

333. In the last two decades (1981-2001), life expectancy for Israeli women has increased by 5.3 years, compared to 4.6 among men. Over half the elderly women are widows,

compared to only 16% of the men, mostly due to women's longer life span and their tendency to marry older men.

Table 18 - Population, by population Group over 65, Religion, Sex and Age, 2003 (by thousands)

Age	Religion								
	Christians - total			Moslems			Jews		
	Females	Males	Total	Females	Males	Total	Females	Males	Total
65-69	2.4	1.8	4.3	6.1	5.5	11.6	95.3	79.3	174.6
70-74	1.9	1.3	3.2	4.2	3.3	7.5	85.0	65.7	150.7
75-79	1.4	0.8	2.2	2.6	1.9	4.5	78.8	53.6	132.5
80-84	0.7	0.4	1.2	1.3	1.1	2.4	50.7	36.3	87.0
85-89	0.3	0.2	0.4	0.6	0.7	1.2	24.3	14.7	39.0
90+	0.2	0.1	0.3	0.3	0.4	0.8	13.8	8.0	21.8

Age	Religion unclassified			Druze		
	Females	Males	Total	Females	Males	Total
65-69	3.5	2.4	5.9	0.9	0.7	1.6
70-74	1.8	1.2	3.0	0.7	0.6	1.2
75-79	1.6	0.7	2.3	0.4	0.4	0.8
80+	1.3	0.4	1.6	0.4	0.5	0.9

Source: Central Bureau of Statistics, 2004

Mortality Rates and Causes of Death

334. In 2003, women also had a lower mortality rate than men in all age groups: 20-24 men – 1.2 to a thousand, women – 0.4 to a thousand; 50-54 – 4.3, 2.4 respectively; 80-84 – 77.1, 65.4 respectively.

335. The maternal mortality rate has remained generally low. In 2002, the maternal mortality stood at 6 deaths per every 100,000 live births.

Cancer among Women and Mammograms

336. Cancer is the second major cause of death for women, after heart illness. Breast cancer is the most common malignant illness, constituting 18% of all annual cancer instances, and 30% of the cases of cancer among women.

337. The Ministry of Health figures indicate that 3,400 new cases of breast cancer are discovered annually, 70% of the patients are over 50 and 400 annual cases can be found among the 22-40 age group. In the 45-64 age group, the average rate of breast cancer per 100,000 women is 281.1 in the Jewish sector and 118 in the Arab sector. The basic services entitlement includes over 70 different drugs for the treatment of breast cancer.

Colon and rectum cancer are the second most common cancers among women (as well as the general population), with 68 of 100,000 in the Jewish Sector and 37.6 of 100,000 in the Arab sector.

338. A 2003 national survey of women's health performed by JDC - Brookdale Institute, indicates that 13% of the women under 50 and 62% of the women over 50 had a mammography screening in the two years prior to the survey. The survey further specifies that the rates of women conducting mammograms are almost the same in all sectors, with 62% among the Jewish sector and 61% among the Arab sector (a dramatic rise from 18% in 1995).

Mental Health

339. As of the end of 2002, there were 47,660 patients in mental health clinics, 25,380 men (53.3%) and 22,280 (46.7%) women. The number of women is higher in the 45-64 and 65+ age groups.

340. In 2002, 13,295 people were admitted to inpatient care and day hospitalization, 5,565 (42.1%) of them were women. This data reflects an increase compared to 2001, when 13,014 persons were admitted to inpatient care and day hospitalization, 5,490 (42.1%) of them were women.

341. The EUROHIS data indicates that women suffer from higher levels of depression and anxiety than men. In the 45-74 age group, 4.7% of the women reported that they were diagnosed as depressed/anxious, to only 3.8% of the men. In the younger age group of 21-44, the numbers are almost identical, with 1.7% of the women and 1.5% of the men.

AIDS

342. The total number of AIDS patients up to 2004 was 924 (688 male and 236 female). There were 2,959 known cases of HIV-positive individuals in 2004 (1,798 male and 1,161 female). The percentage of women diagnosed with HIV-positive increased, from 26% in 1995 to 39.2% to this date. The Public Health Services in the Ministry of Health estimate that as of December 2003, the correct number of people living with HIV/AIDS is 4,127.

343. HIV examinations are available to each person, anonymously and free of charge. Every Israeli citizen who is HIV-positive is entitled to virtually free of charge treatment in any one of the seven regional AIDS centers. Non-Israeli pregnant women and their children are entitled to free of charge antiretroviral treatment.

344. The Ministry of Health has initiated various projects to increase awareness to HIV, especially among more traditional populations, such as the new immigrants from Sub-Saharan countries. The ministry developed a program adapted to these populations, incorporating both HIV health education and an individual support and follow-up by

health educators originating from the same communities. Further programs target youth, as well as soldiers, educating them on HIV and AIDS, through direct counseling, Radio and TV broadcasts.

Women in Health Care

Women in Medical Schools

345. Women make more than half of the medicine students. In the 2002-2003 academic year, there were 3,568 students of medicine (first, second and third degrees), of which 1,867 (52.3%) were women.

Women as Medical Personnel

346. The majority of medical personal are women. In 2003, there were 156,900 persons employed in health services, 44,800 (28.6%) were men and 112,000 (71.4%) were women. 58,500 of the women worked in hospitals and 35,800 in clinics and medical institutions. In the same year, there were 104,000 salaried women employees, compared to 36,800 men.

Table 19 – Employed Persons and Employees in Health Services, By Sex, 2003

	Total	Hospitals	Clinics and Medical Institutions
Employed Persons			
2003 – Total (Thousands)	156.9	82.7	48.1
Males	44.8	24.1	12.4
Females	112.0	58.5	35.8
Employees			
2003 – Total (Thousands)	140.8	82.2	43.7
Males	36.8	23.9	10.0
Females	104.0	58.2	33.7

Source: Central Bureau of Statistics, 2004

347. In 2003, 734 licenses to practice medicine were issued, 49% to women, also, 169 new pharmaceutical licenses were issued, 63% to women.

Senior Positions for Women in the Health System

348. Women compose a majority (5 out of 7) of the Ministry of Health's district doctors. Women also head five major departments in the ministry, and there are two women

deputy director generals. There are 12 women (26%) in the National Health Insurance Council.

Attitudes towards women in the Health System

349. Recent data indicates that none of the complaints submitted regarding medical treatment and medical/para medical personnel is related to discrimination against women.

Promotion of the Status of Women in the Health System

350. The Ministry of Health holds a yearly seminar for women on women-related issues, and specifically on sexual harassment issues.

351. The women status supervisor in the Ministry encourages women to apply for managerial positions and is extensively involved in matters such as sexual harassment, domestic violence, etc.

352. Every year, dozens of women represent the Ministry of Health in delegations to international conferences and seminars abroad.

Article 13 - Social and Economic Benefits

Legal Developments

353. A major legal development was the expansion, *in 2004* of the *Employment of Women Law (Temporary Provision) of 1998*, granting men the privilege to share maternity leave with their wives and the eligibility for maternity leave allowance, provided their wife waives the privilege for the remainder of the maternity leave and returns to work. This amendment was recently extended and is in force until the end of April 2007.

354. The *Employment of Women Law* underwent substantial modifications since our previous report, as detailed henceforth:

355. *Amendment no. 20* excluded an employee's maternity leave and the 45 consecutive days from the dismissal notice days, therefore, an employer can only dismiss an employee following those 45 days. *Amendment no. 21* added protection to an employee (men and women) undergoing IVF and fertility treatments for their first and second child, during their absence and the following 150 days. *Amendment no. 22* stipulated that an employee's absence due to maternity leave should not affect social benefits dependent upon seniority. *Amendment no. 24* anchors the employer's duty to continue allotment of employees' pension, pension fund or directors insurance and savings plan during a pregnancy observation period, provided the employee maintains allotment of her share. Also, the employer is obligated to maintain allotment of his ratio in the pension fund or directors insurance during maternity leave. *Amendment no. 25* adds that a woman can

extend her maternity leave when the newborn is hospitalized for a period of over 12 weeks. This extension does not coincide with the remaining periods of extension, to a maximum period of 4 weeks.

356. Amendment no. 26 restricts the Ministry of Industry, Trade and Labor's ability to grant an employer with a retroactive permit to dismiss a pregnant employee. Among the exceptions enabling such retroactive dismissal are: lack of knowledge of the pregnancy at the time of the dismissal, proven severe circumstances, bankruptcy or liquidation, or ceasing of operation due to unexpected circumstances.

Social Benefits and the Welfare State

Social Benefits

357. Israel has an advanced social insurance system, protecting against major contingencies of income loss prevalent in a modern society. This includes long-term payments, guaranteeing resilience to those permanently unemployed due to old age or disability, to dependents and to families struggling with the economic burden of raising children, and short-term payments substituting the wages of those temporarily unemployed (on account of dismissal, work injury, child bearing or military reservé service). The National Insurance Institute (NII) is the governmental body responsible for the administration of the social insurance programs.

358. Women in Israel have a high presence among social benefits recipients; a figure mostly derived from women's longer life span and their employment patterns.

359. The following will present developments and changes in social benefits affecting women that occurred since the submission of our previous report.

Maternity Insurance

360. Women are entitled to maternity insurance, which includes a hospitalization grant, a maternity grant, a birth allowance and a maternity leave allowance. Until July 2002, the rate of a maternity grant was 20% of the average wage, independent of prior births. In August 2003, there was a change in maternity grants payable for the second child and onwards and it was set as 6% of the average wage. In January 2004, the grant payable for the second child only was increased to 9% of the average wage.

361. In 2003, 142,000 women received maternity grants, a 6% increase from the 2002 figures. In recent years, the rate of women receiving this payment has decreased moderately, mostly due to changes in the rate of women's participation in the labor market whilst in their fertility phase. It is notable that the average age of women who received the maternity leave allowance, in 2002-2003, is 30. Also, 95.5% of those women were salaried employees, a figure resulting from the nature of women's

participation in the labour market. In 2003, maternity insurance's portion of all national insurance payments was 6.1% - compared to 5.9% in the years 2001-2002.

Old Age and Survivors' Benefits

362. In 2003, approximately 604,000 received old age and survivors' benefits, with 104,000 monthly recipients. Old age and survivors' benefits comprise the largest insurance branch at the NII and the numbers are rising, with a 3.8% increase in the number of old age benefit recipients. There was a slight decrease in the number of survivor benefits recipients (-0.1%). These changes mainly reflect the growing number of elderly population, as the population gentrifies.

363. As of December 2003, the majority of those eligible to both old age and survivors benefits were women – 95% of the 76,597 eligible to these two benefits. The high rate of women is mainly because more men than women were insured so their wives had survivors' benefits, and women usually marry older men and have a longer life expectancy. There is a difference between the genders in the rank of the two benefits: the average level of benefits that men are eligible to receive is higher due to seniority increments and postponed retirement increments. At the end of 2002, 166,000 widows received survivors' benefit: 95,000 received this benefit alone and another 71,000 were given the combined benefit. There were only 7,000 widowers receiving survivors' benefit - half of them receiving the regular benefit and the other half, the combined benefit.

364. In 2004, the Government adopted the recommendations of a public committee, which examined the issue of retirement age. In its final report, the committee recommended setting the same retirement age for women and men, which grants the right to old age benefit, at the age of 67. The retirement age for women and men will be raised gradually from 60 and 65, respectively, to 67. Another recommendation is the establishment of a committee to monitor the process and examine whether there are any improvements in women's position in the labor market, from the aspects of employment rate and wages. Throughout this process, in different phases, the committee will examine the effects of these changes on women. Consequently, the Knesset enacted the *Retirement Age Law*, 5763-2004 ("*Retirement Age Law*").

Alimony Payments

365. In 2003, 26,000 women received monthly alimony payments from the NII - an 8% decrease from the previous year. Between 1998-2002, there was a 7.5% increase in the rate of women receiving alimonies from the NII. The increase derived, usually, from the greater numbers of divorces and the higher rate of unemployment. The recent decrease stems from amendments to the *Income Assurance Law*, 5741-1980 ("*Income Assurance Law*") and the *Alimony Law (Assurance of Payment)*, 5732-1972 ("*Alimony Law*

(Assurance of Payment)"), conditioning the entitlement to alimony to instances whereby the debtor does not reside with the recipient.

Single-Parent Families

366. The number of single-parent families in Israel is at a constant ascent in recent years - mostly due to the changes in family patterns and the rise in the rate of divorce. In 2003, single-parent families comprised approximately 12% of all the families with children - compared to 9.3% in 1995. Women head 97% of these families and in close to a third of them, the parent is a new immigrant. It should be noted that single-parent families also constitute 36% of all income guarantee recipients.

367. Although the Government has recently reduced some of the privileges given to single parent families, the Ministry of Industry, Trade and Labor initiated a special program to integrate them into the labor market, specifically those receiving income guarantees and alimony payments. The program intends to increase single parents' earning capabilities, while raising their employment qualifications. The program grants its participants with the following benefits: a 9,600 NIS grant to those who increase their income by at least 1,200 NIS compared to their income in May-July 2003; single parents' full time employers are entitled to a financial grant of up to 12,000 NIS, travel expenses refund, vocational and professional training, and participation in fees for children in kindergarten and day-care centers. The program began in August 2003, and by March 2004, 30,000 single parents approached the Bureaus, 13,000 of them were referred to positions and 5,100 were placed accordingly. The dropout rate is about 30%. Also, 630 single parents are currently attending vocational courses, and 372 of them placed their children in day-care centers.

Financial Credit

368. Women in Israel make use of bank loans, mortgages and other forms of financial credit in a manner equal to men.

Recreational Activities

369. Women participate in all aspects of recreational activities, including sports and cultural life, as detailed in Article 10 above.

Article 14 - Rural Women

General

370. A very high percentage of the Israeli population lives in urban localities - 91.5%. Rural population makes up 8.5% of the general population. The majority of this population lives in Moshavim" (cooperative settlements) (39.2%), Kibbutzim (communal

settlements) (20.9%), and institutional settlements (15.5%), totaling 75.7% of the rural localities. In these aforementioned settlements, 99.6% of the population is Jewish. The rest of the rural population is Muslim, Christian, Bedouin, Druze and Circassian living in various forms of rural localities. This Article will focus on Bedouin women.

Bedouin Women

371. The following data refers mostly to the Bedouin community in the southern Israeli Negev desert. There are approximately 145,000 Bedouins living in the Negev, approximately 83,000 of them in seven Bedouin towns and the rest in illegal villages throughout the Negev.

Education

372. Bedouins enjoy all the rights and opportunities of Israeli citizens, including the privilege to receive formal education at all levels, in accordance with the laws of Israel.

373. In recent years, there has been a substantial rise in the percentage of pupils in the Bedouin sector taking matriculations exams (up from 19.7% in the year 1998 to 53.8% in the year 2002), as well as a huge leap in the percentage of pupils entitled to a matriculation certificate (from 15.5% in the year 1998 to 42.8% in the year 2002).

374. The high school dropout rate in the Bedouin sector is 11.58% (compared to a 4.53% in the Jewish sector). The highest dropout numbers are of female-minors in the illegal villages, mostly due to early marital age and the desire to protect family honor. It should be noted that the situation is quite different in the Bedouin towns where female-minors graduate after 12 years of schooling, usually continuing with higher education as detailed below.

375. A recent survey held by the Van Leer Jerusalem Institute examined the issue of Bedouin female-minors dropout rates and concluded that the educational system has to consider the special needs of the traditional Bedouin society. The major requisite adjustments are separate schools/classes for male-minors and female-minors, as in the Jewish-religious school system, and adaptation of the curriculum to the cultural background of the Bedouin pupil.

Higher Education

376. With regards to higher education, there are currently more Bedouin women studying for their first degree than men. Statistics indicate that most of the Bedouin women who turn to higher/academic education are unmarried. Once married, they may abandon their studies.

377. There are three colleges in Be'er Sheva where the majority of students are Bedouins. Most of the women students are single. Married women study, for example, in the Negev

College, where classes are separate, and in Ben – Gurion University where there is a Student Body Association that accompanies the Bedouin women students. Also, the faculty of medicine accepts, on a trial basis, a number of qualified Bedouin women who failed the formal entry exams.

378. The Ministry of Education, Culture and Sport has recently granted 18 Bedouin students full scholarships in order to pursue higher studies at the Ben-Gurion University in Beer-Sheva during the academic year 2004/5. The scholarships were granted on the basis of academic excellence and financial situation. Among the 18 students' recipients of the scholarship, 12 were women. Additional scholarships are granted by various NGOs.

Employment and Welfare

379. The Bedouin population has a high rate of unemployment and low socio-economic state. Several measures are being implemented to change these statistics. One example is a business entrepreneurship course for Bedouin women in cooperation with the Center for Fostering Entrepreneurship and the Authority for the Advancement of the Status of Women.

380. A Center for the Welfare of the Bedouin Family was recently established in Be'er Sheva, manned by a specialized social worker. The Center serves as a place for discrete conflict resolution and a place of transit for Bedouin women seeking refuge due to domestic violence.

Health

Infant Mortality

381. In 2003, the overall infant mortality rate was 5.1 (compared to 5.5 in 2001). Pursuant to specific data for 2002, the rate was 4.0 in the Jewish population, 9.1 among Muslims, 2.8 among Christians and 7.0 in the Druze Population.

382. There has been a remarkable 81% decrease in the infant mortality rate in the Bedouin population over the last three decades, from 33.9 per thousand to the current 15.3 per thousand. Nonetheless, the mortality rates remain high. This is due to rough living conditions in the illegal villages and the high rate of consanguineous marriage (60% overall, with 40% being of the first degree). Another element impacting upon mortality rate is the religious prohibition against abortion among Muslims even in medically recommended cases, as well as the high rate of births among elderly women.

383. The Ministry of Health's Public Health Services initiated a project to reduce infant mortality in the Bedouin sector. The project operates through Arabic-speaking female instructors who educate prospective mothers on the importance of regular visits to the doctor during pregnancy. These instructors address the importance of medical

examinations to detect birth defects during pregnancy, and awareness of the consequences of consanguineous marriage.

Other Health Indicators

384. Bedouins, like all Israeli citizens and residents, are entitled to health insurance under the *National Health Insurance Law*. All Bedouins are fully covered, whether they reside in Bedouin towns or in illegal villages. Various health funds (i.e., privately owned health care providers subsidized by the government) build and run community clinics in permanent towns, as well in the illegal villages (the result of the High Court of Justice ruling in H.C.J. 4540/00 *Abu Apash v. The Minister of Health*, petitioning for clinics in the illegal villages).

385. The improvement of the relevant health indicators among the Bedouin community continues, yet gaps remain, especially among those living in the illegal villages. This is so mainly due to the physical conditions in those villages.

386. In addition, the illegal villages are provided with Mother and Child Health Clinics (Tipat Halav), Health Fund medical clinics, family care mobile units, mobile immunization teams, and a special mobile eye medicine unit. Recent data indicates that the rate of vaccinations (for children up to the age of two), in the Bedouin sector is 90%, almost identical to the rate in the Jewish sector (93%).

Ritual Female Genital Operation (Female Circumcision)

387. Recent data indicates over the last few years there were no reports of women who underwent female genital mutilation in Israel.

Marital Status

388. There is a high percentage of married women in Bedouin society, indicating the importance of this institution. The status of cohabitation has also been prevalent due to the prohibition of polygamy in the Israeli law.

Article 15 - Equality before the Law and in Civil Matters

General

389. The Israeli Judiciary provides equality to men and women in all areas of law, including all aspects of civil matters, as detailed throughout this report.

390. In civil matters, women enjoy an identical capacity to that of men, including the right to conclude contracts, administer property and equal treatment in all stages of procedure in courts and tribunals. Women also have the same benefits regarding the movement of

persons and the freedom to choose their residence and domicile, as detailed in Article 9 above.

Religious Courts

391. Overall, religious Courts have an exclusive jurisdiction over all matters of marriage and divorce, except when the couple is not affiliated to any religion or of different religions. Regarding these exceptions, in matters relating to divorce, the jurisdiction is granted to the Family Courts or to the Religious Courts, upon the decision of the President of the Supreme Court. In Matters concerning women's and children's alimony, property issues, child maintenance, guardianship, violence and in the case of Muslims, also parental matters, Family Courts and the Religious Courts have a parallel jurisdiction, with certain differences between the various religious communities.

392. Inheritance and adoption – the Family Courts have the main jurisdiction, the Religious Courts jurisdiction is subject to the consent of all relevant parties and certain limitations stipulated in the Law. Child abduction, marriage approvals under the *Marital Age Law*, name changing, determination of age, surrogacy, parenthood (except for Muslims) and other disputes among family members, in matters not mentioned above – are all subject to the exclusive jurisdiction of the Family Courts.

393. In reference to certain aspects of personal status laws, Israel has entered a reservation due to commitments to various religious communities in Israel. Further details regarding this reservation are provided in Article 16, below.

Article 16 - Equality in Marriage and Family Life

General

394. Israel upholds its reservation to article 16 regarding personal status laws due to commitments to religious communities in Israel. This reservation stems from Israel's constitutional system and respect for religious pluralism, as well as its granting autonomy to religious communities in matters of personal status.

395. The personal religious law limits the marriage option for a number of groups in Israel. Moreover, certain couples prefer to forego the imposed religious marriage because it contradicts their perceptions of marriage and marry abroad.

Legal Developments

396. The legislator has recently extended the powers granted to the Rabbinical Court when dealing with a husband reluctant to give his wife a "Get" (divorce decree), thus preventing her from re-marrying. The *Rabbinical Courts Law (Upholding a Divorce Decree), 5755-1995* (*"Rabbinical Courts Law (Upholding a Divorce Decree)"*)

(Amendment no. 5 from 2004) enables the Court to order the reluctant husband to remain in isolation for an initial period of 14 days (previously 5 days) and for continuous periods thereafter, pursuant to certain limitations.

The Family in Israel: Some Demographic Data

397. As discussed in our previous reports, Israel is a family-oriented society. The Central Bureau of Statistics' data indicates that in 2002, only 3% of Israeli couples (35,000) cohabitated without marriage. Approximately 60% of those cohabitating are single, 25% are divorced, 12% widowed and 3% married (to others).

Marriages

398. There is a high rate of marriages, and nearly every Israeli adult marries at least once - 97% of the men and 95% of the women among the population over 45. The status of married persons is illustrated by the following table:

Table 20 - Persons Marrying, By Age, Previous Marital Status and Religion, 2002

	Druze		Christians		Muslims		Jews	
	Never-married	Total	Never-married	Total	Never-married	Total	Never-married	Total
Men - Total								
	738	833	713	745	7,979	8,445	27,511	29,695
Average Age								
	27.4	27.4	29.1	29.5	26.4	27.0	27.3	28.8
Women - Total								
	787	833	737	745	8,235	8,445	27,113	29,695
Average Age								
	21.8	22.3	24.2	24.3	21.7	21.9	25.0	26.0

Source: Central Bureau of Statistics, Statistical Abstract of Israel 2004

399. In 2002, the average age of first marriages in Israel was 27.3 for Jewish men, 26.4 for Muslim men, 25.0 for Jewish women and 21.7 for Muslim women. It should be noted that since 1970, the average marital age has risen by three years, mostly due to the increase in cohabitation and women's participation in the labor market and in higher education.

400. Recent data provided by the Israeli Police reveals very low numbers of polygamy cases – 10 in 2003 and 15 in 2004.

Divorces

401. Israel's divorce rate has been increasing in recent years, as demonstrated by the following table:

Table 21 – Persons Divorcing, 15+, By Sex and Religion, 2002

Total Population		Rates (of 2001)	
Women	*Men*	*Women*	*Men*
10,939	10,939	8.8	8.7
Thereof: Jews			
9,686	9,686	9.5	9.3
Thereof: Muslims			
1,136	1,136	6.5	6.5

Source: Central Bureau of Statistics, Statistical Abstract of Israel 2004

Minimum Marital Age

402. Young brides are significantly more common than young grooms, especially in certain sectors of the population such as the Ultra orthodox Jews, Georgians Jews, Muslims, Druze and Bedouins.

403. The Knesset Research and Information Center, in a survey held at the end of June 2004, estimated that hundreds of female - minors annually marry in Israel. The survey claims that the *Marital Age Law* is seldom enforced and when a petition is filed for an under-age marriage, it is almost always granted, usually explained by the fact that these marriages usually occur in populations that are experiencing changes and are only recently coming to grips with a new social context that has a different approach to public policy norms. In the year 2001, 15 Jewish and 20 Muslim grooms under the age of 17 were registered for marriage, and 24 Jewish and 113 Muslim brides under the age of 16.

Table 22 - Marriage of Young People up to Age 19, 2002

Druze		Christians		Moslems		Jews			Age and year
Thereof: Never-Married	Total	Thereof: Never-married	Total	Thereof: Never-married	Total	Divorced	Never-married	Total(1)	
Men									
738	833	713	745	7,979	8,445	2,916	27,511	29,695	Total
40	41	2	2	316	316	1	987	988	19 Up to
-	-	-	-	17	17	-	30	30	Up to 17
9	9	1	1	104	104	-	261	261	18
31	32	1	1	195	195	1	696	697	19
Women									
787	833	737	745	8,235	8,445	2,387	27,113	29,695	Total
343	345	89	89	3,700	3,715	5	3,114	3,122	Up to 19
-	-	1	1	165	165	1	28	29	Up to 16
97	97	15	15	1,152	1,156	-	340	340	17
129	129	34	34	1,314	1,320	-	960	961	18
117	119	39	39	1,069	1,074	4	1,786	1,792	19

Source: Central Bureau of Statistics, Statistical Abstract of Israel, 2004

404. Usually under-age marriages take place in closed communities, and do not become public knowledge, therefore the likelihood of acquiring evidence of the marriage or proving their very existence, is quite low. Furthermore, violations of this law do not come to the knowledge of the Police or other relevant bodies.

405. There are some specific State programs in towns in the northern part of Israel, aimed at educating the population with regard to the implications of under aged marriages.

Same-Sex Couples

406. Since 2000, the Ministry of the Interior adopted an equivalent policy towards same-sex couples and heterosexual non-marital cohabitants, awarding same-sex foreign partners of Israeli citizens with resident status. As mentioned in Article 9, the Ministry of the Interior is currently in the process of examining and completing a more flexible policy to both same-sex couples and heterosexual non-marital cohabitants to be implemented over a seven-year period. Under the new policy, foreign partners will be entitled to temporary resident status after 12 months of cohabitation and permanent residency after 7 years of cohabitation.

407. Our previous report mentioned the case of legally recognized mutual parenthood for a lesbian couple. Since then, each woman maintains guardian status over the biological children of her partner. However, their petition for joint second-parent adoptions was *rejected* by the Family Court and the District Court (*FAA. 10/99 Jane Doe v. The Attorney General (10.05.01)*). The District Court determined that in light of the purpose and language of the *Children Adoption Law*, same sex couples do not fulfill the

provisions or the purpose of the law. The Court ruled that the issue was controversial and, thus, there is need for legislative involvement.

408. In a landmark decision from January 2005, the Supreme Court accepted the appeal of two women, a same-sex couple, to adopt each other's children. The Court ruled that under the *Adoption Law*, each case should be examined on its own merits and all the relevant circumstances need to be taken into consideration. The Court emphasized that the decision solely concerns this couple and is not a principled one, thus leaving the question of same-sex relationships for another time. The Court recommended that the Knesset amend the law to provide a solution to a real problem, and attempt to bypass ideological controversial problems that the issue presents. (C.A. 10280/01 *Yaros-Hakak v. The Attorney General* (10.01.05)).

409. The state has recently (June, 2004) informed the Supreme Court that it is willing to provide same-sex couples with equal privileges to heterosexual couples regarding taxation over *shared* registered accommodation.

410. In November 2004, the Nazareth District Court determined in a precedent setting judgment that the term "man and woman" in the *Inheritance Law*, 5725-1965, ("*Inheritance Law*") applies to same-sex spouse. The judgment was based upon the general inclination to broaden the interpretation of the term "spouse", as evidenced in decisions on other legal spheres, and applying it to the *Inheritance Law*. Here, the applicant and his late partner, both Jewish, lived together as a couple, they jointly managed a household and shared a romantic relationship. (C.A. 3245/03 *A.M. v. the Attorney General in the Office of the General Custodian* (11.11.04)).

New Reproductive Technology and Surrogacy

411. As discussed in our previous report, the *Surrogacy Agreements Law (Approval of Agreement and Status of Newborn Child), 5756-1996* ("Surrogacy *Agreements Law (Approval of Agreement and Status of Newborn Child)*"), regulates the approval of surrogacy agreements and the status of the unborn children.

412. Recent data (March, 2004) indicates that since the enactment of the law, 210 application for approval of surrogacy agreements were received. 169 were approved, resulting in the birth of 80 children from 62 childbirths (due to the prevalence of multi-fetus pregnancies). Seven other surrogate mothers were pregnant at that date. 15 couples whose agreements had been approved decided not to continue the process and turned to adoption.